



ROOM 463



ACTS
AND
RESOLVES

PASSED BY THE

General Court of Massachusetts,

IN THE YEAR

1922,

TOGETHER WITH

THE CONSTITUTION, TABLES SHOWING CHANGES
IN THE STATUTES, ETC., ETC.

PUBLISHED BY THE
SECRETARY OF THE COMMONWEALTH.



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A CONSTITUTION

OR

FORM OF GOVERNMENT

FOR

The Commonwealth of Massachusetts

P R E A M B L E .

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Objects of
government.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

Body politic,
how formed.
Its nature.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence, or surprise, of entering into

an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain, and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Equality and natural rights of all men.

Article I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein.
2 Cush. 104.
12 Allen, 129.
See amendments, Arts. XLVI and XLVIII.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping GOD in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Amendments, Art. XI, substituted for this.

III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of GOD, and of public instructions in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of GOD, and for the support and maintenance of public Protestant teachers

Legislature empowered to compel provision for public worship.

of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

And the people of this commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Legislature to enjoin attendance thereon.

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

Exclusive right of electing religious teachers secured.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

Option as to whom parochial taxes may be paid, unless, etc.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.]

All denominations equally protected. 8 Met. 162.

Subordination of one sect to another prohibited.

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

Right of self government secured.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

Accountability of all officers, etc.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children,

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

Objects of government; right of people to institute and change it.

VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, unalienable, and infeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

Right of people to secure rotation in office.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

All, having the qualifications prescribed, equally eligible to office. For the definition of "inhabitant," see Part the Second, Ch. 1, Sect. 2, Art. II.

IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments. See amendments, Art. XLV. 122 Mass. 595, 596.

Freedom of elections, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2. For compulsory voting, see amendments, Art. LXI.

Right of protection and duty of contribution correlative. Taxation founded on consent.

16 Mass. 326.
1 Pick. 418.
7 Pick. 344.
12 Pick. 184, 467.
16 Pick. 87.
23 Pick. 360.
7 Met. 388.
4 Gray, 474.
7 Gray, 363.
14 Gray, 154.
1 Allen, 150.
4 Allen, 474.

Private property not to be taken for public uses without, etc. See amendments, Arts. XXXIX and XLVII.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

6 Cush. 327.	12 Allen, 223, 230.	108 Mass. 202, 213.	126 Mass. 428, 441.
14 Gray, 155.	100 Mass. 544, 560.	111 Mass. 130.	127 Mass. 50, 52.
16 Gray, 417, 431.	103 Mass. 120, 624.	113 Mass. 45.	358, 363, 410, 413.
1 Allen, 150.	106 Mass. 356, 362.	116 Mass. 463.	129 Mass. 559.
11 Allen, 530.			

Right to receive compensation for private property appropriated to public use, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

100 Mass. 287, 295.

108 Mass. 5, 6.

122 Mass. 332.

127 Mass. 550, 554.

103 Mass. 418.

118 Mass. 443, 451.

124 Mass. 464.

129 Mass. 559.

107 Mass. 172, 180.

120 Mass. 118, 120.

Right of access to and protection in courts of justice, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

Right of trial by jury, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

Protection from unreasonable search, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Remedies, by recourse to the law, to be free, complete and prompt.

Prosecutions regulated.

8 Pick. 211.

10 Pick. 9.

18 Pick. 434.

21 Pick. 542.

2 Met. 329.

12 Cush. 246.

1 Gray, 1.

5 Gray, 160.

8 Gray, 329.

10 Gray, 11.

11 Gray, 438.

2 Allen, 361.

11 Allen, 238-

240, 264, 439,

473.

12 Allen, 170.

97 Mass. 570,

573.

Right to trial by jury in criminal cases, except, etc.

8 Gray, 329,

373.

103 Mass. 418.

Crimes to be proved in the vicinity.

2 Pick. 550.

121 Mass. 61, 62.

Right of search and seizure regulated.

Const. of U. S., Amend't IV.

2 Met. 329.

5 Cush. 369.

1 Gray, 1.

13 Gray, 454.

10 Allen, 403.

100 Mass. 136,

139.

126 Mass. 269,

273.

Right to trial
by jury sacred,
except, etc.
Const. of U. S.,
Amend't VII.
2 Pick. 382.
7 Pick. 366.
5 Gray, 144.
8 Gray, 373.
11 Allen, 574,
577.
102 Mass. 45, 47.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherwise used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

114 Mass. 388, 390.
120 Mass. 320, 321.

122 Mass. 505, 516.
123 Mass. 590, 593.

125 Mass. 182, 188.
128 Mass. 600.

Right of trial by jury, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Liberty of the
press.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

Freedom of the press, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Right to keep
and bear arms.
Standing armies
dangerous.
Military power
subordinate to
civil.
5 Gray, 121.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Moral qualifica-
tions for office.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

Moral obliga-
tions of law-
givers and
magistrates.

Right of people
to instruct rep-
resentatives
and petition
legislature.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

Right of peaceable assembly, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Power to sus-
pend the laws
or their execu-
tion.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exer-

cised in such particular cases only as the legislature shall expressly provide for.

Modified by the popular initiative and referendum. See amendments, Art. XLVIII, I, Definition.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Freedom of debate, etc., and reason thereof.

Freedom of speech, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Frequent sessions, and objects thereof.

XXIII. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

Taxation founded on consent.
8 Allen, 247.

XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Ex post facto laws prohibited.
12 Allen, 421, 424, 428, 434.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Legislature not to convict of treason, etc.

XXVI. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

Excessive bail or fines, and cruel punishments, prohibited.

5 Gray, 482.

Protection from unreasonable bail, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

Protection from law-martial, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2.

Judges of supreme judicial court.
 3 Pick. 471.
 1 Gray, 472.
 4 Allen, 591.
 7 Allen, 385.
 105 Mass. 219,
 221, 225.

Salaries.

Separation of executive, judicial, and legislative departments.
 2 Cush. 577.
 2 Allen, 361.
 8 Allen, 247, 253.
 100 Mass. 282,
 286.
 114 Mass. 247,
 249.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Tenure of their office, not to be the subject of an initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

116 Mass. 317.

129 Mass. 559.

For popular initiative and referendum, see amendments, Art. XLVIII.

For organization of executive, etc., work of the Commonwealth in not more than twenty departments, see amendments, Art. LXVI.

PART THE SECOND.

The Frame of Government.

Title of body politic.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE COMMONWEALTH OF MASSACHUSETTS.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Legislative department.

Article I. The department of legislation shall be formed by two branches, a Senate and House of Represent-

atives; each of which shall have a negative on the other.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May;] and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

For change of time, etc., see amendments, Art. X.

II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law: but in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

Governor's veto.
99 Mass. 636.

For right of governor to return bill or resolve for amendment, see amendments, Art. LXVI.

For disapproval or reduction of items by the governor in bills appropriating money, see amendments, Art. LXIII, sect. 5. Bill may be passed by two-thirds of each house, notwithstanding.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

3 Mass. 567.

III. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, complaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same: whether the same be criminal or civil, or whether the said crimes be capital or not capital, and

For exception in case of adjournment of the general court within the five days, see amendments, Art. I.

General court may constitute judicatories, courts of record, etc.

8 Gray, 1.
12 Gray, 147, 154.

See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Courts, etc.,
may administer
oaths.

General court
may enact laws,
etc.

9 Gray, 426.

4 Allen, 473.

12 Allen, 223,

237.

100 Mass. 544,

557.

116 Mass. 467,

470.

For initiative

and refer-

endum, see

amendments,

Art. XLVIII.

General court

may enact

laws, etc., not

repugnant to

the constitu-

tion.

6 Allen, 358.

may provide

for the election

or appointment

of officers.

115 Mass. 602.

may prescribe

their duties.

may impose

taxes, etc.

See amend-

ments,

Arts. XLI and

XLIV.

12 Mass. 252.

5 Allen, 428.

6 Allen, 558.

8 Allen, 247, 253.

10 Allen, 235.

11 Allen, 268.

12 Allen, 77.

223, 235, 238,

240, 298, 300,

312, 313, 500, 612.

98 Mass. 19.

100 Mass. 285.

101 Mass. 575,

585.

103 Mass. 267.

114 Mass. 388,

391.

116 Mass. 461.

118 Mass. 386,

389.

123 Mass. 493,

495.

127 Mass. 413.

may impose

taxes, etc., to

be disposed of

whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the

manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

For the authority of the general court to charter cities, see amendments, Art. II.

For the state wide referendum on bills and resolves of the general court, see amendments, Art. XLII. Art. XLII annulled by initiative and referendum amendment, see amendments, Art. XLVIII, The referendum, VIII.

For the power given the general court to provide by law for absentee and compulsory voting, see amendments, Arts. XLV and LXI.

For the power given the general court to determine the manner of providing and distributing the necessities of life, etc., during time of war, public distress, etc., by the commonwealth and the cities and towns therein, see amendments, Art. XLVII.

for defence, protection, etc. 8 Allen, 247, 256.

Valuation of estates once in ten years, at least, while, etc. 8 Allen, 247.

126 Mass. 547.

CHAPTER I.

SECTION II.

Senate.

Article I. [There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the commonwealth may, from time to time, be divided by the general court for that purpose: and the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided, that the number of such districts shall never be less than thirteen; and that no district be so large as to entitle the same to choose more than six senators.]

Senate, number of, and by whom elected. Superseded by amendments, Art. XIII, which was also superseded by amendments, Art. XXII.

For provision as to councillors, see amendments, Art. XVI.

Counties to be districts, until, etc.

And the several counties in this commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz.:—Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

Manner and time of choosing senators and councillors.

See amendments, Arts. X, XV, XLV and LXIV, sect. 1.

As to cities, see amendments, Art. II.

Provisions as to qualifications of voters, superseded by

amendments, Arts. III, XX, XXVIII, XXX, XXXI and XXXII.

Word "inhabitant" defined.

See also amendments, Art. XXIII, which was annulled by Art. XXVI. 12 Gray, 21. 122 Mass. 595, 597.

Selectmen to preside at town meetings.

Return of votes.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January. See amendments, Art. X.

Inhabitants of unincorporated plantations, who pay state taxes, may vote.

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.: there shall be a meeting on the [first Monday in April,] [annually,] forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word "inhabitant" in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district, or plantation where he dwelleth, or hath his home.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] [annually;] or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May:] and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May.]

[And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the

same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually [on the same first Monday in April], at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly.]

Plantation meetings.
Time of election changed by amendments, Art. XV.
Assessors to notify, etc.

III. And that there may be a due convention of senators on the [last Wednesday in May] annually, the governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summons to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided, nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid.

Governor and council to examine and count votes, and issue summonses.
Time changed to first Wednesday in January by amendments, Art. X.
Majority changed to plurality by amendments, Art. XIV.

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as pointed out in the constitution; and shall, [on the said last Wednesday in May] [annually,] determine and declare who are elected by each district to be senators [by a majority of votes; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of senators sufficient to fill up the vacan-

Senate to be final judge of elections, etc., of its own members.
Time changed to first Wednesday of January by amendments, Art. X.
Majority changed to plurality by amendments, Art. XIV.

Vacancies, how filled.
Changed to election by people.
See amendments, Art. XXIV.

Qualifications of a senator.
Property qualification abolished.
See amendments, Art. XIII.
For further provision as to residence, see also amendments, Art. XXII.

Senate not to adjourn more than two days.
See amendments, Art. LII.

shall choose its officers and establish its rules.

shall try all impeachments.

Oath.

Limitation of sentence.

Quorum.
See amendments, Arts. XXII and XXXIII.

cies in such district; and in this manner all such vacancies shall be filled up in every district of the commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.]

V. Provided, nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold, within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit, under this commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.]

CHAPTER I.

SECTION III.

House of Representatives.

Representation of the people.

Article I. There shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

For change to biennial elections, see amendments, Art. LXIV, sect. 1.

II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one representative; every corporate town containing three hundred and seventy-five ratable polls may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional representative.]

Representatives, by whom chosen.
Superseded by amendments, Arts. XII and XIII, which were also superseded by amendments, Art. XXI.
7 Mass. 523.

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative; but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

Proviso as to towns having less than 150 ratable polls.

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

Towns liable to fine in case, etc.

[The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.]

Expenses of travelling to and from the general court, how paid.
Annulled by Art. XXXV.

III. Every member of the house of representatives shall be chosen by written votes; [and, for one year at least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.]

Qualifications of a representative.
New provision as to residence. See amendments, Art. XXI.
Property qualifications abolished by amendments, Art. XIII.

IV. [Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative or representatives for the said town.]

Qualifications of a voter. These provisions superseded by amendments, Arts. III, XX, XXVIII, XXX, XXXI, XXXII and XLV.

See also amendments, Art. XXIII, which was annulled by Art. XXVI.

V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.]

Representatives, when chosen.

Time of election changed by amendments, Art. X, and changed again by amendments, Art. XV.

House alone
can impeach.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

House to originate all money bills.

VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Not to adjourn more than two days.
See amendments, Art. LII.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

Quorum.
See amendments, Arts. XXI and XXXIII.

IX. [Not less than sixty members of the house of representatives shall constitute a quorum for doing business.]

To judge of returns, etc., of its own members; to choose its officers and establish its rules, etc.
May punish for certain offences.
14 Gray, 226.

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

Privileges of members.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly.

Senate.
Governor and council may punish.
General limitation.
14 Gray, 226.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

Trial may be by committee, or otherwise.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Article I. There shall be a supreme executive mag- Governor.
istrate, who shall be styled—THE GOVERNOR OF THE
COMMONWEALTH OF MASSACHUSETTS; and whose title His title.
shall be—HIS EXCELLENCY.

II. The governor shall be chosen [annually;] and no per- To be chosen annually. For change to biennial elections, see amendments, Art. LXIV, sects. 1-4. Qualifications. See amendments, Arts. VII and XXXIV.
son shall be eligible to this office, unless, at the time of his
election, he shall have been an inhabitant of this common-
wealth for seven years next preceding; [and unless he shall
at the same time be seised, in his own right, of a freehold,
within the commonwealth, of the value of one thousand
pounds;] [and unless he shall declare himself to be of the
Christian religion.]

III. Those persons who shall be qualified to vote for By whom chosen, if he have a majority of votes. See amendments, Art. XLV. Time of election changed by amendments, Art. X, and changed again by amendments, Art. XV.
senators and representatives within the several towns of
this commonwealth shall, at a meeting to be called for that
purpose, on the [first Monday of April] [annually,] give in
their votes for a governor, to the selectmen, who shall preside
at such meetings; and the town clerk, in the presence and
with the assistance of the selectmen, shall, in open town
meeting, sort and count the votes, and form a list of the
persons voted for, with the number of votes for each person
against his name; and shall make a fair record of the same
in the town books, and a public declaration thereof in the
said meeting; and shall, in the presence of the inhabitants,
seal up copies of the said list, attested by him and the
selectmen, and transmit the same to the sheriff of the
county, thirty days at least before the [last Wednesday in
May]; and the sheriff shall transmit the same to the secre-
tary's office, seventeen days at least before the said [last
Wednesday in May]; or the selectmen may cause returns of
the same to be made to the office of the secretary of the
commonwealth, seventeen days at least before the said day;
and the secretary shall lay the same before the senate and
the house of representatives on the [last Wednesday in May],
to be by them examined; and in case of an election by a
[majority] of all the votes returned, the choice shall be by As to cities, see amendments, Art. II. Time changed to first Wednesday of January by amendments, Art. X. Changed to plurality by amendments, Art. XIV.

How chosen,
when no per-
son has a
plurality.

them declared and published; but if no person shall have a [majority] of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

Power of gov-
ernor, and of
governor and
council.

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

May adjourn
or prorogue the
general court
upon request,
and convene
the same.
As to dissolu-
tion, see
amendments,
Art. X.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess;] and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the said court is next at any time to convene, or any other cause happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

As to dissolu-
tion, see
amendments,
Art. X.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.]

Governor and
council may
adjourn the
general court
in cases, etc.,
but not ex-
ceeding ninety
days.

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Governor to be
commander-in-
chief.
This article
annulled and
superseded by
amendments,
Art. LIV.

VII. [The governor of this commonwealth, for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise, and govern the militia and navy;

and, for the special defence and safety of the commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition, and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state to which they cannot otherwise conveniently have access.] Limitation.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned. Governor and council may pardon offences, except, etc.
But not before conviction.
109 Mass. 323.

IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of pro- Judicial officers, etc., how nominated and appointed.

For provisions as to election of attorney-general, see amendments, Arts. XVII and LXIV, sect. 1.

bate,] shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

For provision as to election of sheriffs, registers of probate, etc., see amendments, Art. XIX.

For provision as to appointment of notaries public, see amendments, Arts. IV. and LVII.

Appointment, tenure, etc., of judges not to be the subject of an initiative or referendum petition; see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Militia officers, how elected. Limitation of age struck out by amendments, Art. V. This article annulled and superseded by amendments, Art. LIII.

X. [The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, [of twenty-one years of age and upwards;] the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments; the brigadiers shall be elected, in like manner, by the field officers of their respective brigades; and such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

How commissioned.

Election of officers.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected:

Major-generals, how appointed and commissioned.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor.

For provisions as to appointment of a commissary general, see amendments, Art. IV.

Vacancies, how filled, in case, etc.

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elections, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

Officers duly commissioned, how removed. Superseded by amendments, Art. IV.

[And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial, pursuant to the laws of the commonwealth for the time being.]

Adjutants, etc., how appointed.

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors; and the major-generals their aids; and the governor shall appoint the adjutant-general.

Army officers, how appointed.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

Organization of militia.

The divisions of the militia into brigades, regiments, and companies, made in pursuance of the militia laws now in

force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.]

XI. No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

Money, how drawn from the treasury, except, etc. 13 Allen, 593.

Certain appropriations of money from treasury not to be subjects of initiative or referendum petition. See amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

All public boards, etc., to make quarterly returns.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes,

Salary of governor.

and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Salaries of justices of supreme judicial court.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

Compensation of judges not to be the subject of an initiative or referendum petition; see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Salaries to be enlarged if insufficient.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

CHAPTER II.

SECTION II.

Lieutenant-Governor.

Lieutenant-governor; his title and qualifications. See amendments, Arts. VII and XXXIV.

For change to biennial elections, see amendments, Art. LXIV, sect. 1.

How chosen.

Election by plurality provided for by amendments, Art. XIV.

President of council. Lieutenant-governor a member of, except, etc.

Lieutenant-governor to be acting governor, in case, etc. See amendments, Art. LV.

Article I. There shall be [annually] elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be — HIS HONOR; and who shall be qualified, in point of [religion,] [property,] and residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; and if no one person shall be found to have [a majority] of all the votes returned, the vacancy shall be filled by the senate and house of representatives, in the same manner as the governor is to be elected, in case no one person shall have [a majority] of the votes of the people to be governor.

II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

CHAPTER II.

SECTION III.

Council, and the Manner of settling Elections by the Legislature.

Article I. There shall be a council for advising the governor in the executive part of the government, to consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

Council.
Number of
councillors
changed to
eight.
See amend-
ments, Art.
XVI.

II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.]

Number; from
whom, and
how chosen.
Modified by
amendments,
Arts. X and
XIII.
Superseded by
amendments,
Art. XVI.

If senators be-
come council-
lors, their seats
to be vacated.

III. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor.

Rank of
councillors.

IV. [Not more than two councillors shall be chosen out of any one district of this commonwealth.]

No district to
have more
than two.

Superseded by amendments, Art. XVI.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

Register of
council.

VI. [Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters, and things, as the governor or the lieutenant-governor might or could, by

Council to
exercise the
power of gov-
ernor in case,
etc.
This article
annulled and
superseded by
amendments,
Art. LV.

virtue of this constitution, do or execute, if they, or either of them, were personally present.]

Elections may be adjourned until, etc.

Order thereof. Superseded by amendments, Arts. XVI and XXV.

VII. [And whereas the elections appointed to be made, by this constitution, on the [last Wednesday in May annually,] by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: [the vacancies in the senate, if any, shall first be filled up;] the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of the council.]

CHAPTER II.

SECTION IV.

Secretary, Treasurer, Commissary, etc.

Secretary, etc., by whom and how chosen. For provision as to election of secretary, treasurer and receiver-general, auditor and attorney-general, see amendments, Arts. XVII and LXIV, sect. 1. Treasurer ineligible for more than five successive years.

Article I. [The secretary, treasurer and receiver-general, and the commissary-general, notaries public, and naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And, that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible as treasurer and receiver-general more than five years successively.]

For provision as to appointment of notaries public and the commissary-general, see amendments, Arts. IV and LVII.

Treasurer and receiver-general ineligible to election for more than three successive terms. See amendments, Art. LXIV, sect. 2.

Secretary to keep records; to attend the governor and council, etc.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

Tenure of all commissioned officers to be expressed. Judicial officers to hold office

Article I. The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly ap-

pointed, commissioned and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

during good behavior, except, etc. But may be removed on address.

For tenure, etc., of judges, see amendments, Art. XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

For retirement of judicial officers, see amendments, Art. LVIII.

II. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Justices of supreme judicial court to give opinions when required.
122 Mass. 600.
126 Mass. 557,
561.

III. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

Justices of the peace; tenure of their office.
3 Cush. 584.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

For removal of justices of the peace, see amendments, Art. XXXVII.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

Provisions for holding probate courts.
12 Gray, 147.

Marriage, divorce, and alimony. Other provisions made by law.
105 Mass. 327.

116 Mass. 317.

CHAPTER IV.

DELEGATES TO CONGRESS.

[The delegates of this commonwealth to the congress of the United States, shall, some time in the month of June, annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have

Delegates to congress.

commissions under the hand of the governor, and the great seal of the commonwealth; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.]

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE, AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

Harvard College.

Article I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of GOD, been initiated in those arts and sciences which qualified them for public employments, both in church and state; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of GOD, the advantage of the Christian religion, and the great benefit of this and the other United States of America, — it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled to have, hold, use, exercise, and enjoy; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

Powers, privileges, etc., of the president and fellows, confirmed.

II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity

All gifts, grants, etc., confirmed.

aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, deviser or devisors.

III. [And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College; and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates; it is declared, that the governor, lieutenant-governor, council, and senate of this commonwealth, are, and shall be deemed, their successors, who, with the president of Harvard College, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College; provided, that] nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

Who shall be overseers.

See Statutes,
1851, 224.
1852, 27.
1859, 212.
1865, 173.
1880, 65, 114.
1889, 104, 132.
1894, 166.
1895, 45.
1896, 191.
1901, 187, 488.
1902, 243.
1910, 113.
1914, 593.

Power of alteration reserved to the legislature.

CHAPTER V.

SECTION II.

The Encouragement of Literature, etc.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and

Duty of legislatures and magistrates in all future periods. For further provisions as to public schools, see amendments, Arts. XVIII and XLVI.
12 Allen, 500-503.
103 Mass. 94, 97.

immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

Oaths, etc.

Article I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz.:

Abolished.
See amend-
ments, Art.
VII.

“I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seised and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected.”

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the presence of the two houses of assembly; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being.]

Declaration
and oaths of
all officers.

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz.:

For new oath
of allegiance,
see amend-
ments, Art. VI.

[“I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign, and

independent state; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever; and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be), and every other foreign power whatsoever; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States: and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptance of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me, God.”]

“I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, God.” Oath of office.

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, [*“I do swear,” “and abjure,” “oath or,” “and abjuration,”* in the first oath, and in the second oath, the words] *“swear and,”* and [in each of them] the words *“So help me, God;”* subjoining instead thereof, *“This I do under the pains and penalties of perjury.”* Proviso.
See amendments, Art. VI.

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councillors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitu- Oaths and affirmations, how administered.

tion; and forever afterwards before the governor and council for the time being; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

Plurality of
offices pro-
hibited to gov-
ernor, etc.,
except, etc.
See amend-
ments, Art.
VIII.

II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

Same subject.
1 Allen, 553.

No person shall be capable of holding or exercising at the same time, within this state, more than one of the following offices, viz.: judge of probate — sheriff — register of probate — or register of deeds; and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person.

Incompatible
offices.
For further pro-
visions as to
incompatible
offices, see
amendments,
Art. VIII.
Officers of Har-
vard College
excepted by
amendments,
Art. XXVII.

No person holding the office of judge of the supreme judicial court — secretary — attorney-general — solicitor-general — treasurer or receiver-general — judge of probate — commissary-general — [president, professor, or instructor of Harvard College] — sheriff — clerk of the house of representatives — register of probate — register of deeds — clerk of the supreme judicial court — clerk of the inferior court of common pleas — or officer of the customs, including in this description naval officers — shall at the same time have a seat in the senate or house of representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives; and the place so vacated shall be filled up.

Incompatible
offices.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in council; or any councillor shall accept of either of those offices or places.

Bribery, etc.,
disqualify.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due

course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

III. [In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight pence per ounce; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the commonwealth shall require.]

Value of money ascertained.

Property qualifications may be increased. See amendments, Arts. XIII and XXXIV.

IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

Provisions respecting commissions.

V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts; they shall be under the seal of the court from whence they issue; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Provisions respecting writs.
2 Pick. 592.
3 Met. 58.
13 Gray, 74.

VI. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Continuation of former laws, except, etc.
1 Mass. 59.
2 Mass. 534.
8 Pick. 309, 316.
16 Pick. 107, 115.
2 Met. 118.

VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

Benefit of *habeas corpus* secured, except, etc.

VIII. The enacting style, in making and passing all acts, statutes, and laws, shall be — "Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same."

The enacting style.

IX. [To the end there may be no failure of justice, or danger arise to the commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy,

Officers of former government continued until, etc.

all the powers and authority to them granted or committed, until other persons shall be appointed in their stead; and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments and authority; until the general court, and the supreme and executive officers under this constitution, are designated and invested with their respective trusts, powers, and authority.]

Provision for revising constitution. For existing provision as to amendments, see amendments, Art. IX.

X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments.

Provision for revising constitution.

And if it shall appear, by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.]

Provision for preserving and publishing this constitution.

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

ARTICLES OF AMENDMENT.

Bill, etc., not approved within five days, not to become a law

Article I. If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been

laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

Art. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

Art. III. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, [and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned,] shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such election.

For provision as to those who have served in the army or navy in time of war, see amendments, Arts. XXVIII and XXXI. See also amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

For absentee voting, see amendments, Art. XLV.

Art. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed,

if legislature adjourn in the mean time.
3 Mass. 567.
See Const., Ch. I, § 1, Art. II.

General court empowered to charter cities.
122 Mass. 354.
See amendments, Arts. XLVII and XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

Proviso.
112 Mass. 200.

Qualifications of voters for governor, lieutenant-governor, senators and representatives.
See amendments, Arts. XXX, XXXII, XL and XLV.
11 Pick. 538, 540.
14 Pick. 341.
14 Mass. 367.
5 Met. 162, 298, 591, 594.
7 Gray, 299.
122 Mass. 595, 597.
124 Mass. 596.
For educational qualification, see amendments, Art. XX.

Notaries public, how appointed and removed.

See amend-
ments, Art.
XXXVII.

and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature.

For appointment of women as notaries public, see amendments, Art. LVII.

Vacancies in
the offices of
secretary and
treasurer, how
filled.
This clause
superseded by
amendments,
Art. XVII.

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.]

Commissary-
general may be
appointed, in
case, etc.

[Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.]

Militia officers,
how removed.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.]

Last two paragraphs of Art. IV annulled and superseded by amendments, Art. LIII.

Who may vote
for captains and
subalterns.

Art. V. [In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.]

This article annulled and superseded by amendments, Art. LIII.

Oath to be
taken by all
officers.
See Const.,
Ch. VI, Art. I.

Art. VI. Instead of the oath of allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit:—

“I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.”

Proviso.
Quakers may
affirm.

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word “swear” and inserting, instead thereof, the word “affirm,” and omitting the words “So help me, God,” and subjoining, instead thereof, the words, “This I do under the pains and penalties of perjury.”

Tests abol-
ished.

Art. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-

governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Art. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

Art. IX. [If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.]

Art. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and

Incompatibility
of offices.
122 Mass. 445,
600.
123 Mass. 525.

Amendments to
constitution,
how made.
This article
annulled by
Art. XLVIII,
General Pro-
visions, VIII.

Commence-
ment of politi-
cal year.
Further provi-
sion for
assembling
annually.
See amend-
ments, Art.
LXIV, sect. 3.

Termination
of political
year.

Governor, etc.,
to be elected
biennially.
See amend-
ments, Art.
LXIV, sect 1.

Meetings for the
choice of gov-
ernor, lieuten-
ant-governor,
etc., when to
be held.
This clause
superseded by
amendments,
Art. XV.

Article, when
to go into
operation.

Inconsistent
provisions
annulled.

done at the session which has heretofore commenced on the last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.]

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

[This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision.]

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled.]

Art. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted:—

“As the public worship of GOD and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.”

Religious freedom established. See Dec. of Rights, Art. III.

See amendments, Arts. XLVI and XLVIII, The initiative, II, sect. 2, and The referendum, III, sect. 2.

122 Mass. 40, 41.

Art. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town, and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred ratable polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one representative more.

Census of ratable polls to be taken in 1837, and decennially thereafter. This article was superseded by amendments, Art. XIII, which was also superseded by amendments, Art. XXI.

Representatives, how apportioned.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Towns having less than 300 ratable polls, how represented.

Fractions, how represented.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Towns may unite into representative districts.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

The governor and council to determine the number of representatives to which each town is entitled.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town, and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town, and representative district may elect an additional representative; and where any town has not a sufficient number of polls to elect a representative each year, then, how many years within the ten years, such town may elect a representative; and the same shall be done once in ten years, thereafter, by the governor and council, and the number of ratable polls in each decennial census of polls, shall determine the number of representatives, which each city, town and representative district may elect as aforesaid; and when the number of representatives to be elected by each city, town, or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

New apportionment to be made once in every ten years.

Inconsistent provisions annulled.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.]

Art. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of senators and representatives for the term of ten years.

122 Mass. 595.

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district.

The members of the house of representatives shall be apportioned in the following manner: Every town or city containing twelve hundred inhabitants may elect one representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a representative district, to continue for the term of ten years; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth

Census of inhabitants to be taken in 1840, and decennially thereafter, for basis of representation. Provisions as to census superseded by amendments, Arts. XXI and XXII.

Senatorial districts declared permanent. Provisions as to senators superseded by amendments, Art. XXII.

House of representatives, how apportioned. Provisions as to representatives superseded by amendments, Art. XXI.

Small towns, how represented.

Towns may unite into representative districts.

Basis of representation, and ratio of increase.

shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

The governor and council to apportion the number of representatives of each town once in every ten years.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

Councillors to be chosen from the people at large. Provisions as to councillors superseded by amendments, Art. XVI.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.]

Freehold as a qualification for a seat in general court or council not required. Elections by the people to be by plurality of votes.

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Art. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Time of annual election of governor and legislature. For change to biennial elections, see amendments, Art. LXIV, sects. 1-4.

Art. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

For compulsory voting, see amendments, Art. LXI.

Eight councillors to be chosen by the people. 122 Mass. 595, 598. For change to biennial elections, see amendments, Art. LXIV, sects. 1-4. For compulsory voting, see

Art. XVI. Eight councillors shall be [annually] chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census thereafterwards, shall

divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor: *provided, however,* that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor. [Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice shall be by them declared and published; but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers.

Art. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen [annually,] on the day in November prescribed for the choice of governor; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of [one year] from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The

amendments,
Art. LXI.
Legislature to
district state.

Proviso.

Eligibility
defined.

Day and man-
ner of election,
etc.

Vacancies, how
filled.
For new pro-
vision as to
vacancies, see
amendments,
Art. XXV.

Organization of
the govern-
ment.

Election of
secretary,
treasurer,
auditor, and
attorney-gen-
eral by the
people.
For election
biennially, etc.,
see amend-
ments, Art.
LXIV, sect. 1.

For compulsory voting, see amendments, Art. LXI.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

Qualification requisite.

School moneys not to be applied for sectarian schools. For original provision as to schools, see constitution, Part First, Art. III. 12 Allen, 500, 508. 103 Mass. 94, 96. This article was superseded by amendments, Art. XLVI. Legislature to prescribe for the election of sheriffs, registers of probate, etc. See amendments, Art. XXXVI. 8 Gray, 1. 13 Gray, 74.

qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day in November aforesaid, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

Art. XVIII. [All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is to be expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.]

Art. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, [commissioners of insolvency,] and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

Art. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *provided, however*, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

For absentee voting, see amendments, Art. XLV.

Art. XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by

Reading constitution in English and writing, necessary qualifications of voters. Proviso.

For other qualifications, see amendments, Art. III. See also amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

Census of legal voters and of inhabitants, when taken, etc. See P. S. c. 31.

House of representatives to consist of 240 members. Legislature to apportion, etc. 10 Gray, 613.

Secretary shall certify to officers authorized to divide counties.

Meeting for
division to be
first Tuesday
in August.
Proceedings.

Qualifications
of representa-
tives.
122 Mass. 595,
598.

Districts to be
numbered,
described and
certified.

Quorum.
See amend-
ments, Art.
XXXIII.

Census, etc.
See P. S. c. 31.

Voters to be
basis of appor-
tionment of
senators.

Senate to con-
sist of forty
members.

law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law. [Not less than one hundred members of the house of representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Art. XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each

district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: *provided, however*, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. [Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Senatorial districts, etc. See amendments, Art. XXIV.

Qualifications of senators.

Quorum. See amendments, Art. XXXIII.

Art. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.]

Residence of two years required of naturalized citizens, to entitle to suffrage or make eligible to office. This article annulled by Art. XXVI.

Art. XXIV. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

Vacancies in the senate.

Art. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Vacancies in the council.

Art. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be

Twenty-third article of amendments annulled.

otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Provisions of Art. II, Chap. VI, relating to officers of Harvard College, annulled.

Art. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Superseded by Art. XXXI.

Art. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of [being a pauper;] or [if a pauper,] because of the non-payment of a poll tax.

Voting precincts in towns. For absentee voting provision, see amendments, Art. XLV.

Art. XXIX. The general court shall have full power and authority to provide for the inhabitants of the towns in this commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Voters not disqualified by reason of change of residence until six months from time of removal. For absentee voting provision, see amendments, Art. XLV.

Art. XXX. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and representatives, shall, by reason of a change of residence within the commonwealth, be disqualified from voting for said officers in the city or town from which he has removed his residence, until the expiration of six calendar months from the time of such removal.

Amendments, Art. XXVIII, amended.

Art. XXXI. Article twenty-eight of the amendments of the constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper", and inserting in place thereof the words:—receiving or having received aid from any city or town,—and also by striking out in said fourth line the words "if a pauper", so that the article as amended shall read as follows: ARTICLE XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

Person who served in army or navy, etc., not disqualified from voting for non-payment of poll tax.

Art. XXXII. So much of article three of the amendments of the constitution of the commonwealth as is contained in the following words: "and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned", is hereby annulled.

Provisions of amendments, Art. III, relative to payment of a tax as a voting qualification, annulled.

Art. XXXIII. A majority of the members of each branch of the general court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Quorum, in each branch of the general court, to consist of a majority of members.

Art. XXXIV. So much of article two of section one of chapter two of part the second of the constitution of the commonwealth as is contained in the following words: "and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds"; is hereby annulled.

Provisions of Art. II, § I, Chap. II, Part II, relative to property qualification of governor, annulled.

Art. XXXV. So much of article two of section three of chapter one of the constitution of the commonwealth as is contained in the following words: "The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave", is hereby annulled.

Provisions of Art. II, § III, Chap. I, relative to expense of travelling to the general assembly by members of the house, annulled.

Art. XXXVI. So much of article nineteen of the articles of amendment to the constitution of the commonwealth as is contained in the following words: "commissioners of insolvency", is hereby annulled.

Amendments, Art. XIX, amended.

Art. XXXVII. The governor, with the consent of the council, may remove justices of the peace and notaries public.

Removal of certain officers.

Art. XXXVIII. Voting machines or other mechanical devices for voting may be used at all elections under such regulations as may be prescribed by law: *provided, however,* that the right of secret voting shall be preserved.

Voting machines may be used at elections. For compulsory voting, see amendments, Art. LXI.

Art. XXXIX. Article ten of part one of the constitution is hereby amended by adding to it the following words: — The legislature may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the commonwealth, or by a

Powers of the legislature relative to the taking of land, etc., for widening or relocating highways, etc.

Proviso.

county, city or town, of more land and property than are needed for the actual construction of such highway or street: *provided, however*, that the land and property authorized to be taken are specified in the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street, and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions.

Amendments,
Art. III,
amended.

Art. XL. Article three of the amendments to the constitution is hereby amended by inserting after the word "guardianship", in line two, the following:—and persons temporarily or permanently disqualified by law because of corrupt practices in respect to elections.

Taxation of
wild or forest
lands.

Art. XLI. Full power and authority are hereby given and granted to the general court to prescribe for wild or forest lands such methods of taxation as will develop and conserve the forest resources of the commonwealth.

Referendum.
This article
annulled and
superseded by
amendments,
Art. XLVIII,
General Pro-
visions, VIII.

Art. XLII. [Full power and authority are hereby given and granted to the general court to refer to the people for their rejection or approval at the polls any act or resolve of the general court or any part or parts thereof. Such reference shall be by a majority yea and nay vote of all members of each house present and voting. Any act, resolve, or part thereof so referred shall be voted on at the regular state election next ensuing after such reference, shall become law if approved by a majority of the voters voting thereon, and shall take effect at the expiration of thirty days after the election at which it was approved or at such time after the expiration of the said thirty days as may be fixed in such act, resolve or part thereof.]

Powers of the
general court
relative to the
taking of land,
etc., to relieve
congestion of
population
and to provide
homes for
citizens.
Proviso.

Art. XLIII. The general court shall have power to authorize the commonwealth to take land and to hold, improve, sub-divide, build upon and sell the same, for the purpose of relieving congestion of population and providing homes for citizens: *provided, however*, that this amendment shall not be deemed to authorize the sale of such land or buildings at less than the cost thereof.

Credit of the commonwealth restricted by amendments, Art. LXII, sect. 1.

Powers of the
general court
relative to
imposing and
levying a tax
on income;
exemptions,
etc.

Art. XLIV. Full power and authority are hereby given and granted to the general court to impose and levy a tax on income in the manner hereinafter provided. Such tax may be at different rates upon income derived from different classes of property, but shall be levied at a uniform rate

throughout the commonwealth upon incomes derived from the same class of property. The general court may tax income not derived from property at a lower rate than income derived from property, and may grant reasonable exemptions and abatements. Any class of property the income from which is taxed under the provisions of this article may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as at present authorized by the constitution. This article shall not be construed to limit the power of the general court to impose and levy reasonable duties and excises.

Art. XLV. The general court shall have power to provide by law for voting by qualified voters of the commonwealth who, at the time of an election, are absent from the city or town of which they are inhabitants in the choice of any officer to be elected or upon any question submitted at such election.

Powers of the general court to provide by law for absentee voting. For compulsory voting, see amendments, Art. LXI.

Art. XLVI. (In place of article XVIII of the articles of amendment of the constitution ratified and adopted May 23, 1855, the following article of amendment, submitted by the constitutional convention, was ratified and adopted November 6, 1917.) **ARTICLE XVIII. SECTION 1.** No law shall be passed prohibiting the free exercise of religion.

No law to prohibit free exercise of religion. This amendment shall not be the subject of an initiative amendment. See amendments, Art. XLVIII, The initiative, II, sect. 2.

SECTION 2. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the commonwealth for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money or property or loan of public credit shall be made or authorized by the commonwealth or any political division thereof for the purpose of founding, maintaining or aiding any school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated, or any other school, or any college, infirmary, hospital, institution, or educational, charitable or religious undertaking which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents authorized by the commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in

Public money not to be expended to aid educational, charitable, religious or other institutions not wholly under public ownership and control, etc. Credit of the commonwealth restricted by amendments, Art. LXII, sect. 1.

Exceptions.

Massachusetts and for free public libraries in any city or town, and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.

Care or support in private hospitals, etc., of persons who are public charges.

SECTION 3. Nothing herein contained shall be construed to prevent the commonwealth, or any political division thereof, from paying to privately controlled hospitals, infirmaries, or institutions for the deaf, dumb or blind not more than the ordinary and reasonable compensation for care or support actually rendered or furnished by such hospitals, infirmaries or institutions to such persons as may be in whole or in part unable to support or care for themselves.

Inmates of certain public institutions not to be deprived of religious exercises of their own faith; nor compelled to attend religious services, etc., against their will, etc.
Time of taking effect.

SECTION 4. Nothing herein contained shall be construed to deprive any inmate of a publicly controlled reformatory, penal or charitable institution of the opportunity of religious exercises therein of his own faith; but no inmate of such institution shall be compelled to attend religious services or receive religious instruction against his will, or, if a minor, without the consent of his parent or guardian.

SECTION 5. This amendment shall not take effect until the October first next succeeding its ratification and adoption by the people.

General court to determine manner of distribution of food, etc., during time of war, etc., by the commonwealth, cities and towns.

Art. XLVII. The maintenance and distribution at reasonable rates, during time of war, public exigency, emergency or distress, of a sufficient supply of food and other common necessities of life and the providing of shelter, are public functions, and the commonwealth and the cities and towns therein may take and may provide the same for their inhabitants in such manner as the general court shall determine.

Art. XLVIII.

I. Definition.

Initiative and referendum, definition.

Legislative power shall continue to be vested in the general court; but the people reserve to themselves the popular initiative, which is the power of a specified number of voters to submit constitutional amendments and laws to the people for approval or rejection; and the popular referendum, which is the power of a specified number of voters to submit laws, enacted by the general court, to the people for their ratification or rejection.

THE INITIATIVE.

II. *Initiative Petitions.*

SECTION 1. *Contents.* — An initiative petition shall set forth the full text of the constitutional amendment or law, hereinafter designated as the measure, which is proposed by the petition.

Contents of initiative petition.

SECTION 2. *Excluded Matters.* — No measure that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal, recall or compensation of judges; or to the reversal of a judicial decision; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that makes a specific appropriation of money from the treasury of the commonwealth, shall be proposed by an initiative petition; but if a law approved by the people is not repealed, the general court shall raise by taxation or otherwise and shall appropriate such money as may be necessary to carry such law into effect.

Certain matters shall not be proposed by initiative petition.

Obligation upon general court, when a law is approved by the people.

Neither the eighteenth amendment of the constitution, as approved and ratified to take effect on the first day of October in the year nineteen hundred and eighteen, nor this provision for its protection, shall be the subject of an initiative amendment.

Anti-aid amendment, so-called (Art. XLVI), not to be subject of initiative amendment.

No proposition inconsistent with any one of the following rights of the individual, as at present declared in the declaration of rights, shall be the subject of an initiative or referendum petition: The right to receive compensation for private property appropriated to public use; the right of access to and protection in courts of justice; the right of trial by jury; protection from unreasonable search, unreasonable bail and the law martial; freedom of the press; freedom of speech; freedom of elections; and the right of peaceable assembly.

Certain individual rights not to be subject of initiative or referendum petition.

No part of the constitution specifically excluding any matter from the operation of the popular initiative and referendum shall be the subject of an initiative petition; nor shall this section be the subject of such a petition.

Further excluded matters.

The limitations on the legislative power of the general court in the constitution shall extend to the legislative power of the people as exercised hereunder.

Certain legislative limitations extended.

Initiative petition, mode of originating, etc.

Secretary of the commonwealth to furnish blank forms, etc.

Time of filing initiative petitions.

Transmission of proposed measure to the general court.

Reference to legislative committee and report thereon.

Legislative substitute for initiative measure.

SECTION 3. *Mode of Originating.* — Such petition shall first be signed by ten qualified voters of the commonwealth and shall then be submitted to the attorney-general, and if he shall certify that the measure is in proper form for submission to the people, and that it is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people within three years of the succeeding first Wednesday in December and that it contains only subjects not excluded from the popular initiative and which are related or which are mutually dependent, it may then be filed with the secretary of the commonwealth. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed measure as such description will appear on the ballot together with the names and residences of the first ten signers. All initiative petitions, with the first ten signatures attached, shall be filed with the secretary of the commonwealth not earlier than the first Wednesday of the September before the assembling of the general court into which they are to be introduced, and the remainder of the required signatures shall be filed not later than the first Wednesday of the following December.

SECTION 4. *Transmission to the General Court.* — If an initiative petition, signed by the required number of qualified voters, has been filed as aforesaid, the secretary of the commonwealth shall, upon the assembling of the general court, transmit it to the clerk of the house of representatives, and the proposed measure shall then be deemed to be introduced and pending.

III. *Legislative Action. General Provisions.*

SECTION 1. *Reference to Committee.* — If a measure is introduced into the general court by initiative petition, it shall be referred to a committee thereof, and the petitioners and all parties in interest shall be heard, and the measure shall be considered and reported upon to the general court with the committee's recommendations, and the reasons therefor, in writing. Majority and minority reports shall be signed by the members of said committee.

SECTION 2. *Legislative Substitutes.* — The general court may, by resolution passed by yea and nay vote, either by the two houses separately, or in the case of a constitutional

amendment by a majority of those voting thereon in joint session in each of two years as hereinafter provided, submit to the people a substitute for any measure introduced by initiative petition, such substitute to be designated on the ballot as the legislative substitute for such an initiative measure and to be grouped with it as an alternative therefor.

IV. *Legislative Action on Proposed Constitutional Amendments.*

SECTION 1. *Definition.* — A proposal for amendment to the constitution introduced into the general court by initiative petition shall be designated an initiative amendment, and an amendment introduced by a member of either house shall be designated a legislative substitute or a legislative amendment.

Definition of initiative amendment and legislative substitute.

SECTION 2. *Joint Session.* — If a proposal for a specific amendment of the constitution is introduced into the general court by initiative petition signed by not less than twenty-five thousand qualified voters, or if in case of a proposal for amendment introduced into the general court by a member of either house, consideration thereof in joint session is called for by vote of either house, such proposal shall, not later than the second Wednesday in June, be laid before a joint session of the two houses, at which the president of the senate shall preside; and if the two houses fail to agree upon a time for holding any joint session hereby required, or fail to continue the same from time to time until final action has been taken upon all amendments pending, the governor shall call such joint session or continuance thereof.

Joint session to consider amendment to the constitution.

When governor shall call joint session.

SECTION 3. *Amendment of Proposed Amendments.* — A proposal for an amendment to the constitution introduced by initiative petition shall be voted upon in the form in which it was introduced, unless such amendment is amended by vote of three-fourths of the members voting thereon in joint session, which vote shall be taken by call of the yeas and nays if called for by any member.

Proposed amendment to the constitution, form in which to be voted upon.

SECTION 4. *Legislative Action.* — Final legislative action in the joint session upon any amendment shall be taken only by call of the yeas and nays, which shall be entered upon the journals of the two houses; and an unfavorable vote at any stage preceding final action shall be verified by call of the yeas and nays, to be entered in like manner. At such joint session a legislative amendment receiving the affirma-

Final legislative action to be taken by yeas and nays.

Reference to next general court.

tive votes of a majority of all the members elected, or an initiative amendment receiving the affirmative votes of not less than one-fourth of all the members elected, shall be referred to the next general court.

Submission of legislative amendment, etc., to the people.

SECTION 5. *Submission to the People.*—If in the next general court a legislative amendment shall again be agreed to in joint session by a majority of all the members elected, or if an initiative amendment or a legislative substitute shall again receive the affirmative votes of at least one-fourth of all the members elected, such fact shall be certified by the clerk of such joint session to the secretary of the commonwealth, who shall submit the amendment to the people at the next state election. Such amendment shall become part of the constitution if approved, in the case of a legislative amendment, by a majority of the voters voting thereon, or if approved, in the case of an initiative amendment or a legislative substitute, by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such amendment.

When amendment becomes part of the constitution.

V. *Legislative Action on Proposed Laws.*

Legislative procedure on law proposed by initiative petition, etc.

SECTION 1. *Legislative Procedure.*—If an initiative petition for a law is introduced into the general court, signed by not less than twenty thousand qualified voters, a vote shall be taken by yeas and nays in both houses before the first Wednesday of June upon the enactment of such law in the form in which it stands in such petition. If the general court fails to enact such law before the first Wednesday of June, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit such proposed law to the people at the next state election. If it shall be approved by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such law, it shall become law, and shall take effect in thirty

When measure becomes law and takes effect.

days after such state election or at such time after such election as may be provided in such law.

SECTION 2. *Amendment by Petitioners.* — If the general court fails to pass a proposed law before the first Wednesday of June, a majority of the first ten signers of the initiative petition therefor shall have the right, subject to certification by the attorney-general, filed as hereinafter provided, to amend the measure which is the subject of such petition. An amendment so made shall not invalidate any signature attached to the petition. If the measure so amended, signed by a majority of the first ten signers, is filed with the secretary of the commonwealth before the first Wednesday of the following July, together with a certificate signed by the attorney-general to the effect that the amendment made by such proposers is in his opinion perfecting in its nature and does not materially change the substance of the measure, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit the measure to the people in its amended form.

Amendment of proposed law by petitioners and submission of measure to the people by the secretary of the commonwealth.

VI. *Conflicting and Alternative Measures.*

If in any judicial proceeding, provisions of constitutional amendments or of laws approved by the people at the same election are held to be in conflict, then the provisions contained in the measure that received the largest number of affirmative votes at such election shall govern.

Conflicting and alternative measures, which shall govern when approved by the people, etc.

A constitutional amendment approved at any election shall govern any law approved at the same election.

The general court, by resolution passed as hereinbefore set forth, may provide for grouping and designating upon the ballot as conflicting measures or as alternative measures, only one of which is to be adopted, any two or more proposed constitutional amendments or laws which have been or may be passed or qualified for submission to the people at any one election: *provided*, that a proposed constitutional amendment and a proposed law shall not be so grouped, and that the

General court to provide for grouping, etc., upon the ballot.

Proviso.

Only measure receiving largest affirmative vote to be deemed approved.

ballot shall afford an opportunity to the voter to vote for each of the measures or for only one of the measures, as may be provided in said resolution, or against each of the measures so grouped as conflicting or as alternative. In case more than one of the measures so grouped shall receive the vote required for its approval as herein provided, only that one for which the largest affirmative vote was cast shall be deemed to be approved.

THE REFERENDUM.

I. *When Statutes shall take Effect.*

When laws passed by general court take effect.

No law passed by the general court shall take effect earlier than ninety days after it has become a law, excepting laws declared to be emergency laws and laws which may not be made the subject of a referendum petition, as herein provided.

II. *Emergency Measures.*

Emergency law to contain preamble.

Yea and nay vote thereon.

How governor may cause certain laws to take effect forthwith.

Exception.

A law declared to be an emergency law shall contain a preamble setting forth the facts constituting the emergency, and shall contain the statement that such law is necessary for the immediate preservation of the public peace, health, safety or convenience. A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two-thirds of the members of each house voting thereon, the law shall not be an emergency law; but if the governor, at any time before the election at which it is to be submitted to the people on referendum, files with the secretary of the commonwealth a statement declaring that in his opinion the immediate preservation of the public peace, health, safety or convenience requires that such law should take effect forthwith and that it is an emergency law and setting forth the facts constituting the emergency, then such law, if not previously suspended as hereinafter provided, shall take effect without suspension, or if such law has been so suspended such suspension shall thereupon terminate and such law shall thereupon take effect: but no grant of any franchise or amendment thereof, or renewal or extension thereof for more than one year shall be declared to be an emergency law.

III. *Referendum Petitions.*

SECTION 1. *Contents.* — A referendum petition may ask for a referendum to the people upon any law enacted by the general court which is not herein expressly excluded.

Contents of referendum petition.

SECTION 2. *Excluded Matters.* — No law that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal or compensation of judges; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that appropriates money for the current or ordinary expenses of the commonwealth or for any of its departments, boards, commissions or institutions shall be the subject of a referendum petition.

Certain matters shall not be the subject of a referendum petition.

SECTION 3. *Mode of Petitioning for the Suspension of a Law and a Referendum thereon.* — A petition asking for a referendum on a law, and requesting that the operation of such law be suspended, shall first be signed by ten qualified voters and shall then be filed with the secretary of the commonwealth not later than thirty days after the law that is the subject of the petition has become law. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than fifteen thousand qualified voters of the commonwealth, then the operation of such law shall be suspended, and the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election; if thirty days do not so intervene, then such law shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall be approved by a majority of the qualified voters voting thereon, such law shall, subject to the provisions of the constitution, take effect in thirty days after such election, or at such time after such election as may be provided in

Mode of petitioning for the suspension of a law and a referendum thereon.

Duties of the secretary of the commonwealth, etc.

Votes necessary for approval, etc.

such law; if not so approved such law shall be null and void; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Petitions for referendum on an emergency law or a law the suspension of which is not asked for.

SECTION 4. *Petitions for Referendum on an Emergency Law or a Law the Suspension of which is not asked for.* — A referendum petition may ask for the repeal of an emergency law or of a law which takes effect because the referendum petition does not contain a request for suspension, as aforesaid. Such petition shall first be signed by ten qualified voters of the commonwealth, and shall then be filed with the secretary of the commonwealth not later than thirty days after the law which is the subject of the petition has become law. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition filed as aforesaid is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than ten thousand qualified voters of the commonwealth protesting against such law and asking for a referendum thereon, then the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election. If thirty days do not so intervene, then it shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall not be approved by a majority of the qualified voters voting thereon, it shall, at the expiration of thirty days after such election, be thereby repealed; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Duties of the secretary of the commonwealth, etc.

Votes necessary for approval, etc.

GENERAL PROVISIONS.

I. *Identification and Certification of Signatures.*

Identification and certification of signatures to petitions, etc.

Provision shall be made by law for the proper identification and certification of signatures to the petitions hereinbefore referred to, and for penalties for signing any such petition, or refusing to sign it, for money or other valuable

consideration, and for the forgery of signatures thereto. Pending the passage of such legislation all provisions of law relating to the identification and certification of signatures to petitions for the nomination of candidates for state offices or to penalties for the forgery of such signatures shall apply to the signatures to the petitions herein referred to. The general court may provide by law that no co-partnership or corporation shall undertake for hire or reward to circulate petitions, may require individuals who circulate petitions for hire or reward to be licensed, and may make other reasonable regulations to prevent abuses arising from the circulation of petitions for hire or reward.

Law to regulate petitions circulated for hire or reward.

II. *Limitation on Signatures.*

Not more than one-fourth of the certified signatures on any petition shall be those of registered voters of any one county.

Limitation on signatures.

III. *Form of Ballot.*

Each proposed amendment to the constitution, and each law, submitted to the people, shall be described on the ballots by a description to be determined by the attorney-general, subject to such provision as may be made by law, and the secretary of the commonwealth shall give each question a number and cause such question, except as otherwise authorized herein, to be printed on the ballot in the following form:—

Form of question on ballot, etc.

In the case of an amendment to the constitution: Shall an amendment to the constitution (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

YES.	
NO.	

In the case of a law: Shall a law (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

YES.	
NO.	

IV. *Information for Voters.*

The secretary of the commonwealth shall cause to be printed and sent to each registered voter in the commonwealth the full text of every measure to be submitted to the people, together with a copy of the legislative committee's majority and minority reports, if there be such, with the

Certain information for voters to be sent by secretary of the commonwealth.

names of the majority and minority members thereon, a statement of the votes of the general court on the measure, and a description of the measure as such description will appear on the ballot; and shall, in such manner as may be provided by law, cause to be prepared and sent to the voters other information and arguments for and against the measure.

V. The Veto Power of the Governor.

Governor's veto not to extend to certain measures.

The veto power of the governor shall not extend to measures approved by the people.

VI. The General Court's Power of Repeal.

Power of amendment or repeal of a law by general court.

Subject to the veto power of the governor and to the right of referendum by petition as herein provided, the general court may amend or repeal a law approved by the people.

VII. Amendment declared to be Self-executing.

This amendment to be self-executing, etc.

This article of amendment to the constitution is self-executing, but legislation not inconsistent with anything herein contained may be enacted to facilitate the operation of its provisions.

VIII. Articles IX and XLII of Amendments of the Constitution annulled.

Amendments, Arts. IX and XLII, annulled.

Article IX and Article XLII of the amendments of the constitution are hereby annulled.

Conservation, etc., of natural resources of the commonwealth.

Art. XLIX. The conservation, development and utilization of the agricultural, mineral, forest, water and other natural resources of the commonwealth are public uses, and the general court shall have power to provide for the taking, upon payment of just compensation therefor, of lands and easements or interests therein, including water and mineral rights, for the purpose of securing and promoting the proper conservation, development, utilization and control thereof and to enact legislation necessary or expedient therefor.

Regulation by law of advertising on public ways, etc.

Art. L. Advertising on public ways, in public places and on private property within public view may be regulated and restricted by law.

Art. LI. The preservation and maintenance of ancient landmarks and other property of historical or antiquarian interest is a public use, and the commonwealth and the cities and towns therein may, upon payment of just compensation, take such property or any interest therein under such regulations as the general court may prescribe.

General court may prescribe for taking ancient landmarks, etc.

Art. LII. The general court, by concurrent vote of the two houses, may take a recess or recesses amounting to not more than thirty days; but no such recess shall extend beyond the sixtieth day from the date of their first assembling.

General court may take a recess.

Art. LIII. Article X of Section I of Chapter II of the constitution, the last two paragraphs of Article IV of the articles of amendment, relating to the appointment of a commissary general and the removal of militia officers, and Article V of the articles of amendment are hereby annulled, and the following is adopted in place thereof: **ARTICLE X.** All military and naval officers shall be selected and appointed and may be removed in such manner as the general court may by law prescribe, but no such officer shall be appointed unless he shall have passed an examination prepared by a competent commission or shall have served one year in either the federal or state militia or in military service. All such officers who are entitled by law to receive commissions shall be commissioned by the governor.

Certain articles of constitution annulled and superseded.

Military and naval officers, how appointed and removed, etc.

Art. LIV. Article VII of Section I of Chapter II of the constitution is hereby annulled and the following is adopted in place thereof: **ARTICLE VII.** The general court shall provide by law for the recruitment, equipment, organization, training and discipline of the military and naval forces. The governor shall be the commander-in-chief thereof, and shall have power to assemble the whole or any part of them for training, instruction or parade, and to employ them for the suppression of rebellion, the repelling of invasion, and the enforcement of the laws. He may, as authorized by the general court, prescribe from time to time the organization of the military and naval forces and make regulations for their government.

Certain article of constitution annulled and superseded.

Military and naval forces, recruitment, etc.

Art. LV. Article VI of Section III of Chapter II of the constitution is hereby annulled and the following is adopted in place thereof: Whenever the offices of governor and lieutenant-governor shall both be vacant, by reason of death, absence from the commonwealth, or otherwise, then one of the following officers, in the order of succession herein

Certain article of constitution annulled and superseded.

Order of succession in office of governor, etc., in case of vacancy.

named, namely, the secretary, attorney-general, treasurer and receiver-general, and auditor, shall, during such vacancy, have full power and authority to do and execute all and every such acts, matters and things as the governor or the lieutenant-governor might or could lawfully do or execute, if they, or either of them, were personally present.

Return by governor to general court of bill or resolve for amendment, etc.

Art. LVI. The governor, within five days after any bill or resolve shall have been laid before him, shall have the right to return it to the branch of the general court in which it originated with a recommendation that any amendment or amendments specified by him be made therein. Such bill or resolve shall thereupon be before the general court and subject to amendment and re-enactment. If such bill or resolve is re-enacted in any form it shall again be laid before the governor for his action, but he shall have no right to return the same a second time with a recommendation to amend.

Amendments, Art. IV, amended.

Women may be appointed notaries public, etc.

Art. LVII. Article IV of the articles of amendment of the constitution of the commonwealth is hereby amended by adding thereto the following words:—Women shall be eligible to appointment as notaries public. Change of name shall render the commission void, but shall not prevent re-appointment under the new name.

Article I, Chapter III of Part the Second, amended.

Judicial officers, retirement of, etc.

Art. LVIII. Article I of Chapter III of Part the Second of the constitution is hereby amended by the addition of the following words:—and provided also that the governor, with the consent of the council, may after due notice and hearing retire them because of advanced age or mental or physical disability. Such retirement shall be subject to any provisions made by law as to pensions or allowances payable to such officers upon their voluntary retirement.

Every charter, etc., subject to revocation, etc.

Art. LIX. Every charter, franchise or act of incorporation shall forever remain subject to revocation and amendment.

Building zones in cities and towns.

Art. LX. The general court shall have power to limit buildings according to their use or construction to specified districts of cities and towns.

Compulsory voting at elections.

Art. LXI. The general court shall have authority to provide for compulsory voting at elections, but the right of secret voting shall be preserved.

Commonwealth's credit not to be given to private enterprises.

Art. LXII. SECTION 1. The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed.

SECTION 2. The commonwealth may borrow money to repel invasion, suppress insurrection, defend the commonwealth, or to assist the United States in case of war, and may also borrow money in anticipation of receipts from taxes or other sources, such loan to be paid out of the revenue of the year in which it is created.

Commonwealth may borrow money for certain purposes.

SECTION 3. In addition to the loans which may be contracted as before provided, the commonwealth may borrow money only by a vote, taken by the yeas and nays, of two-thirds of each house of the general court present and voting thereon. The governor shall recommend to the general court the term for which any loan shall be contracted.

Two-thirds yeas and nays vote of general court required to borrow money.

SECTION 4. Borrowed money shall not be expended for any other purpose than that for which it was borrowed or for the reduction or discharge of the principal of the loan.

Expenditure of borrowed money limited.

Art. LXIII. SECTION 1. *Collection of Revenue.* — All money received on account of the commonwealth from any source whatsoever shall be paid into the treasury thereof.

Collection of revenue.

SECTION 2. *The Budget.* — Within three weeks after the convening of the general court the governor shall recommend to the general court a budget which shall contain a statement of all proposed expenditures of the commonwealth for the fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. This shall be arranged in such form as the general court may by law prescribe, or, in default thereof, as the governor shall determine. For the purpose of preparing his budget, the governor shall have power to require any board, commission, officer or department to furnish him with any information which he may deem necessary.

The budget, contents, etc.

General court to prescribe form, etc.

Governor may require information.

SECTION 3. *The General Appropriation Bill.* — All appropriations based upon the budget to be paid from taxes or revenues shall be incorporated in a single bill which shall be called the general appropriation bill. The general court may increase, decrease, add or omit items in the budget. The general court may provide for its salaries, mileage, and expenses and for necessary expenditures in anticipation of appropriations, but before final action on the general appropriation bill it shall not enact any other appropriation bill except on recommendation of the governor. The governor may at any time recommend to the general court supplementary budgets which shall be subject to the same procedure as the original budget.

The general appropriation bill.

Supplementary budgets.

Special appropriation bills may be enacted, when.

SECTION 4. *Special Appropriation Bills.*—After final action on the general appropriation bill or on recommendation of the governor, special appropriation bills may be enacted. Such bills shall provide the specific means for defraying the appropriations therein contained.

Governor may disapprove, etc., items or parts of items in any appropriation bill, etc.

SECTION 5. *Submission to the Governor.*—The governor may disapprove or reduce items or parts of items in any bill appropriating money. So much of such bill as he approves shall upon his signing the same become law. As to each item disapproved or reduced, he shall transmit to the house in which the bill originated his reason for such disapproval or reduction, and the procedure shall then be the same as in the case of a bill disapproved as a whole. In case he shall fail so to transmit his reasons for such disapproval or reduction within five days after the bill shall have been presented to him, such items shall have the force of law unless the general court by adjournment shall prevent such transmission, in which case they shall not be law.

Items to have force of law, unless, etc.

Biennial election of state officers, councillors, senators and representatives; terms of office.

Art. LXIV. SECTION 1. The governor, lieutenant-governor, councillors, secretary, treasurer and receiver-general, attorney-general, auditor, senators and representatives, shall be elected biennially. The governor, lieutenant-governor and councillors shall hold their respective offices from the first Wednesday in January succeeding their election to and including the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of the secretary, treasurer and receiver-general, attorney-general and auditor, shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the third year following their election and until their successors are chosen and qualified.

Treasurer ineligible for more than three successive terms.

SECTION 2. No person shall be eligible to election to the office of treasurer and receiver-general for more than three successive terms.

General court to assemble annually.

SECTION 3. The general court shall assemble every year on the first Wednesday in January.

When first election under this article shall be held, etc.

SECTION 4. The first election to which this article shall apply shall be held on the Tuesday next after the first Mon-

day in November in the year nineteen hundred and twenty, and thereafter elections for the choice of all the officers before-mentioned shall be held biennially on the Tuesday next after the first Monday in November.

Art. LXV. No person elected to the general court shall during the term for which he was elected be appointed to any office created or the emoluments whereof are increased during such term, nor receive additional salary or compensation for service upon any recess committee or commission except a committee appointed to examine a general revision of the statutes of the commonwealth when submitted to the general court for adoption.

Members of the general court not to be appointed to certain offices, nor receive compensation on recess committees, except, etc.

Art. LXVI. On or before January first, nineteen hundred twenty-one, the executive and administrative work of the commonwealth shall be organized in not more than twenty departments, in one of which every executive and administrative office, board and commission, except those officers serving directly under the governor or the council, shall be placed. Such departments shall be under such supervision and regulation as the general court may from time to time prescribe by law.

Organization of not more than twenty departments to perform the executive and administrative work of the commonwealth, except, etc.

The constitution of Massachusetts was agreed upon by delegates of the people, in convention, begun and held at Cambridge, on the first day of September, 1779, and continued by adjournments to the second day of March, 1780, when the convention adjourned to meet on the first Wednesday of the ensuing June. In the mean time the constitution was submitted to the people, to be adopted by them, provided two-thirds of the votes given should be in the affirmative. When the convention assembled, it was found that the constitution had been adopted by the requisite number of votes, and the convention accordingly *Resolved*, "That the said Constitution or Frame of Government shall take place on the last Wednesday of October next; and not before, for any purpose, save only for that of making elections, agreeable to this resolution." The first legislature assembled at Boston, on the twenty-fifth day of October, 1780.

The first nine Articles of Amendment were submitted, by delegates in convention assembled, November 15, 1820, to the people, and by them ratified and adopted April 9, 1821.

CONSTITUTION OF THE

The tenth Article was adopted by the legislatures of the political years 1829-30 and 1830-31, respectively, and was approved and ratified by the people May 11, 1831.

The eleventh Article was adopted by the legislatures of the political years 1832 and 1833, respectively, and was approved and ratified by the people November 11, 1833.

The twelfth Article was adopted by the legislatures of the political years 1835 and 1836, respectively, and was approved and ratified by the people the fourteenth day of November, 1836.

The thirteenth Article was adopted by the legislatures of the political years 1839 and 1840, respectively, and was approved and ratified by the people the sixth day of April, 1840.

The General Court of the year 1851 passed an Act calling a third Convention to revise the Constitution. The Act was submitted to the people, and a majority voted against the proposed Convention. In 1852, on the 7th of May, another Act was passed calling upon the people to vote upon the question of calling a Constitutional Convention. A majority of the people having voted in favor of the proposed Convention, election for delegates thereto took place in March, 1853. The Convention met in the State House, in Boston, on the 4th day of May, 1853, and organized by choosing Nathaniel P. Banks, Jr., President, and William S. Robinson and James T. Robinson, Secretaries. On the 1st of August, this Convention agreed to a form of Constitution, and on the same day was dissolved, after having provided for submitting the same to the people, and appointed a committee to meet to count the votes, and to make a return thereof to the General Court. The Committee met at the time and place agreed upon, and found that the proposed Constitution had been rejected.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth Articles were adopted by the legislatures of the political years 1854 and 1855, respectively, and ratified by the people the twenty-third day of May, 1855.

The twentieth, twenty-first, and twenty-second Articles were adopted by the legislatures of the political years 1856 and 1857, respectively, and ratified by the people on the first day of May, 1857.

The twenty-third Article was adopted by the legislatures of the political years 1858 and 1859, respectively, and ratified by the people on the ninth day of May, 1859, and was repealed by the twenty-sixth Amendment.

The twenty-fourth and twenty-fifth Articles were adopted by the legislatures of the political years 1859 and 1860, and ratified by the people on the seventh day of May, 1860.

The twenty-sixth Article was adopted by the legislatures of the political years 1862 and 1863, and ratified by the people on the sixth day of April, 1863.

The twenty-seventh Article was adopted by the legislatures of the political years 1876 and 1877, and was approved and ratified by the people on the sixth day of November, 1877.

The twenty-eighth Article was adopted by the legislatures of the political years 1880 and 1881, and was approved and ratified by the people on the eighth day of November, 1881.

The twenty-ninth Article was adopted by the legislatures of the political years 1884 and 1885, and was approved and ratified by the people on the third day of November, 1885.

The thirtieth and thirty-first Articles were adopted by the legislatures of the political years 1889 and 1890, and were approved and ratified by the people on the fourth day of November, 1890.

The thirty-second and thirty-third Articles were adopted by the legislatures of the political years 1890 and 1891, and were approved and ratified by the people on the third day of November, 1891.

The thirty-fourth Article was adopted by the legislatures of the political years 1891 and 1892, and was approved and ratified by the people on the eighth day of November, 1892.

The thirty-fifth Article was adopted by the legislatures of the political years 1892 and 1893, and was approved and ratified by the people on the seventh day of November, 1893.

The thirty-sixth Article was adopted by the legislatures of the political years 1893 and 1894, and was approved and ratified by the people on the sixth day of November, 1894.

CONSTITUTION OF THE

The thirty-seventh Article was adopted by the legislatures of the political years 1906 and 1907, and was approved and ratified by the people on the fifth day of November, 1907.

The thirty-eighth Article was adopted by the legislatures of the political years 1909 and 1910, and was approved and ratified by the people on the seventh day of November, 1911.

The thirty-ninth Article was adopted by the legislatures of the political years 1910 and 1911, and was approved and ratified by the people on the seventh day of November, 1911.

The fortieth and forty-first Articles were adopted by the legislatures of the political years 1911 and 1912, and were approved and ratified by the people on the fifth day of November, 1912.

The forty-second Article was adopted by the legislatures of the political years 1912 and 1913, and was approved and ratified by the people on the fourth day of November, 1913.

The forty-third and forty-fourth Articles were adopted by the legislatures of the political years 1914 and 1915, and were approved and ratified by the people on the second day of November, 1915.

In his inaugural address to the General Court of 1916, Governor McCall recommended that the question of revising the Constitution, through a Constitutional Convention, be submitted to the people; and the General Court passed a law (chapter 98 of the General Acts of 1916) to ascertain and carry out the will of the people relative thereto, the question to be submitted being "Shall there be a convention to revise, alter or amend the constitution of the Commonwealth?" The people voted on this question at the annual election, held on November 7, casting 217,293 votes in the affirmative and 120,979 votes in the negative; and accordingly the Governor on Dec. 19, 1916, made proclamation to that effect, and, by virtue of authority contained in the act, called upon the people to elect delegates at a special election to be held on the first Tuesday in May, 1917. The election was on May 1. In accordance with the provisions of the act, the delegates met at the State House on June 6, 1917, and organized by choosing John L. Bates, president, and James W. Kimball, secretary. After considering and acting adversely on numerous measures that had been brought before it,

and after providing for submitting to the people the forty-fifth, forty-sixth and forty-seventh Articles, at the state election of 1917, and the Article relative to the establishment of the popular initiative and referendum and the legislative initiative of specific amendments of the Constitution (Article forty-eight) at the state election of 1918, the Convention adjourned on November 28 "until called by the President or Secretary to meet not later than within ten days after the prorogation of the General Court of 1918."

The forty-fifth, forty-sixth, and forty-seventh Articles were submitted, by delegates in convention assembled, September 28, 1917, August 30, 1917, and October 11, 1917, respectively, to the people, and by them ratified and adopted November 6, 1917.

On Wednesday, June 12, 1918, the convention reassembled and resumed its work. Eighteen more articles (Articles forty-nine to sixty-six, inclusive) were approved by the convention and were ordered to be submitted to the people. On Wednesday, August 21, 1918, the convention adjourned, "to meet, subject to call by the President or Secretary, not later than within twenty days after the prorogation of the General Court of 1919, for the purpose of taking action on the report of the special committee on Rearrangement of the Constitution."

The forty-eighth Article was submitted, by delegates in convention assembled, November 28, 1917, the forty-ninth Article, August 7, 1918, the fiftieth to the sixtieth Articles, inclusive, August 15, 1918, the sixty-first to the sixty-fourth Articles, inclusive, August 20, 1918, and the sixty-fifth and sixty-sixth Articles, August 21, 1918, to the people, and by them ratified and adopted, November 5, 1918.

On Tuesday, August 12, 1919, pursuant to a call of its President, the Convention again convened. A rearrangement of the Constitution was adopted, and was ordered to be submitted to the people for their ratification. On the following day, a sub-committee of the Special Committee on Rearrangement of the Constitution was "empowered to correct clerical and typographical errors and establish the text of the rearrangement of the Constitution to be submitted to the people, in conformity with that adopted by the Convention."

On Wednesday, August 13, 1919, the Convention adjourned, *sine die*.

On Tuesday, November 4, 1919, the rearrangement was approved and ratified by the people. (As to the effect of this action, see Opinion of the Justices, 233 Mass. 603, and *Loring v. Young*, decided August 8, 1921.)

PROPOSED AMENDMENTS REJECTED BY THE
PEOPLE.

[A proposed Article of Amendment prohibiting the manufacture and sale of Intoxicating Liquor as a beverage, adopted by the legislatures of the political years 1888 and 1889, was rejected by the people on the twenty-second day of April, 1889.]

[Proposed Articles of Amendment, (1) Establishing biennial elections of state officers, and (2) Establishing biennial elections of members of the General Court, adopted by the legislatures of the political years 1895 and 1896, were rejected by the people at the annual election held on the third day of November, 1896.]

[A proposed Article of Amendment to make Women eligible to appointment as Notaries Public, adopted by the legislatures of the political years 1912 and 1913, was rejected by the people on the fourth day of November, 1913.]

[A proposed Article of Amendment enabling Women to vote, adopted by the legislatures of the political years 1914 and 1915, was rejected by the people on the second day of November, 1915.]

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ACTS AND RESOLVES

OF

MASSACHUSETTS

1922

☞ The General Court, which was chosen November 2, 1920, assembled on Wednesday, the fourth day of January, 1922, for its second annual session.

His Excellency CHANNING H. COX and His Honor ALVAN T. FULLER continued to serve as Governor and Lieutenant-Governor, respectively, for the political year of 1922.

ACTS.

AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF
LEXINGTON TO ACT AS A BOARD OF PUBLIC WORKS EXER-
CISING THE POWERS OF CERTAIN OTHER BOARDS AND
TOWN OFFICERS. Chap. 1

*Be it enacted by the Senate and House of Representatives in
General Court assembled, and by the authority of the same,
as follows:*

SECTION 1. The board of selectmen of the town of Lex-
ington, as constituted from time to time, from and after the
annual meeting held following the acceptance of this act, shall
also be a board of public works, and in said capacity shall
have and exercise, under the designation of selectmen, all
the powers and duties now or from time to time vested by
general law in the following boards and officers in said town,
to wit:— the road commissioners, overseers of the poor,
water and sewer commissioners, park commissioners, board
of health, board of survey, and tree warden, and such boards
and officers shall thereupon be abolished. No contracts or
liabilities then in force shall be affected by such abolition,
but the selectmen, acting as said board, shall in all respects
be the lawful successor of the boards and officers so abolished.
At the first annual meeting of the town held after said ac-
ceptance, the number of the selectmen shall be increased to
five, subject to change, however, as provided by chapter
forty-one of the General Laws. Such increase shall be effected
by electing at said annual meeting one selectman for one
year, one for two years and one for three years; and at each
annual meeting thereafter the town shall elect their successor
or successors for terms of three years.

Selectmen of
town of Lexing-
ton to act as a
board of public
works and ex-
ercise powers
and duties of
certain other
boards and
town officers.

Number of
selectmen to
be increased,
etc.

SECTION 2. The selectmen shall appoint, and fix the com-
pensation of, a superintendent of public works, who shall ad-
minister, under the supervision and direction of the selectmen,
such departments of the town as the selectmen may desig-

Superintendent
of public works,
appointment,
compensation,
qualifications,
powers, duties,
etc.

nate. He shall be responsible for the efficient administration of all departments within the scope of his duty, and shall hold office subject to the will of the selectmen. He shall be specially fitted by education, training, and experience to perform the duties of said office, and may or may not be a resident of the town. During his tenure he shall hold no other elective or appointive office, nor shall he be engaged in any other business or occupation. He shall give bond to the town for the faithful performance of his duties in such sum, upon such conditions and with such surety or sureties as the selectmen may require, and shall, subject to the approval of the selectmen, appoint such assistants, agents and employees as the performance of the duties of the various departments under his supervision may require. He shall keep full and complete records of the doings of his office, and render to the selectmen as often as they may require, a full report of all operations under his control during the period reported upon; and annually, or from time to time as required by the selectmen, he shall make a synopsis of all such reports for publication. He shall keep the selectmen fully advised as to the needs of the town within the scope of his duties, and shall furnish to the selectmen on or before January fifteenth in each year, a carefully prepared and detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his supervision.

Appointment
of assessors by
selectmen upon
acceptance of
act.

SECTION 3. The acceptance of this act shall have the effect of a vote by the town, under section twenty-one of said chapter forty-one, that assessors be appointed by the selectmen.

Town may
rescind action
taken under
act.

SECTION 4. In accordance with the provisions of section twenty-three of said chapter forty-one, the said town at any time after three years following the acceptance of this act, may rescind, in whole or in part, all action taken under its provisions.

Time of taking
effect, submis-
sion to voters,
etc.

SECTION 5. For the purpose of its submission to the voters, this act shall take effect upon its passage; but it shall not take further effect unless accepted by a majority of the voters of said town, present and voting thereon at a meeting called for the purpose not later than twenty days before the annual town meeting.

Approved January 19, 1922.

AN ACT VALIDATING CERTAIN ACTS OF THE TOWN OF *Chap.* 2
GREENFIELD.

Be it enacted, etc., as follows:

SECTION 1. The vote of the inhabitants of the town of Greenfield, at the annual town meeting held March second, nineteen hundred and fourteen, to accept chapter eight hundred and seven of the acts of nineteen hundred and thirteen is hereby ratified and confirmed and shall have the same force and effect as if all the requirements of law as to canvassing, posting and recording the same had been complied with.

Town of Greenfield, certain acts validated.

SECTION 2. The vote of the inhabitants of said town, at the annual town meeting held March seventh, nineteen hundred and twenty-one and by adjournment March twelfth, nineteen hundred and twenty-one, to borrow the sum of forty-five thousand dollars in order to provide for an appropriation of said sum made at said meeting for the purpose of erecting and equipping an isolation hospital, is hereby ratified and confirmed and shall have the same force and effect as if all the requirements of law as to said vote and the record thereof had been complied with.

Same subject.

SECTION 3. This act shall take effect upon its passage.

Approved January 20, 1922.

AN ACT AUTHORIZING THE CITY OF FITCHBURG TO BORROW *Chap.* 3
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a school building and originally equipping and furnishing the same, the city of Fitchburg may, from time to time, borrow such sums as may be necessary not exceeding, in the aggregate, two hundred and twenty-five thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Fitchburg School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided in this act, be subject to chapter forty-four of the General Laws.

City of Fitchburg may borrow money for school purposes.

Fitchburg School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1922.

Chap. 4 AN ACT AUTHORIZING THE ELECTION OF LEWIS H. JONES TO MEMBERSHIP IN THE HAVERHILL FIRE DEPARTMENT.

Be it enacted, etc., as follows:

Haverhill fire department, election of Lewis H. Jones to membership, etc.

SECTION 1. The board of engineers of the fire department of the city of Haverhill may elect Lewis H. Jones a member of said department without examination and certification under chapter thirty-one of the General Laws, and thereupon he shall have the same rating and rights as to retirement and pension as if he had become a member thereof September thirtieth, nineteen hundred and eighteen.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1922.

Chap. 5 AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO PAY A SUM OF MONEY TO AGNES PAYNE, WIDOW OF EDWARD F. PAYNE.

Be it enacted, etc., as follows:

City of Pittsfield may pay sum of money to widow of Edward F. Payne.

SECTION 1. The city of Pittsfield may pay to Agnes Payne, the widow of Edward F. Payne, late a member of its fire department, the balance of the salary which he would have received had he lived and served as such until the end of the year nineteen hundred and twenty-one.

To be submitted to city council, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved January 27, 1922.

Chap. 6 AN ACT PROVIDING FOR THE APPOINTMENT AND REMOVAL OF DEPUTY ASSESSORS IN THE CITY OF BOSTON IN ACCORDANCE WITH THE LAWS AND RULES GOVERNING THE CLASSIFIED CIVIL SERVICE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

1918, 93 (S), § 3, etc., amended.

SECTION 1. Chapter ninety-three of the Special Acts of nineteen hundred and eighteen, as amended by chapter ninety-two of the acts of nineteen hundred and twenty, is hereby further amended by striking out section three and inserting in place thereof the following:— *Section 3.* The mayor shall also appoint for an indeterminate term, under the laws and rules governing the classified civil service of the commonwealth, five deputy assessors and such appointees

Deputy assessors of city of Boston, civil service appointment, salary, duties, etc.

shall hold office in accordance with such laws and rules. Appointments to fill vacancies shall be made in like manner. Each deputy assessor shall receive an annual salary of four thousand dollars and shall perform such duties as the board of assessors may prescribe.

SECTION 2. Notwithstanding the passage of this act, every person holding the position of deputy assessor in the city of Boston at the time of its passage shall continue to hold office without taking any civil service examination and shall thereafter hold office in accordance with and subject to the laws and rules governing the classified civil service of the commonwealth.

Present deputy assessors to continue to hold office, etc.

SECTION 3. This act shall take effect upon its passage.

Approved January 30, 1922.

AN ACT AUTHORIZING THE TOWN OF WARWICK TO INCUR *Chap. 7*
INDEBTEDNESS FOR REPAIRING THE TOWN HALL.

Be it enacted, etc., as follows:

SECTION 1. The town of Warwick may, for the purpose of repairing its town hall, borrow a sum not exceeding in the aggregate two thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Warwick Town Hall Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and shall be payable in not more than four years from its date. Indebtedness incurred under this act shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Warwick may borrow money for repairing town hall.

Warwick Town Hall Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved January 30, 1922.

AN ACT RELATIVE TO THE TIME OF PAYMENT OF COMPEN- *Chap. 8*
SATION FOR TRAVEL TO DOORKEEPERS, MESSENGERS AND
CERTAIN OTHER EMPLOYEES OF THE SERGEANT-AT-ARMS OF
THE GENERAL COURT.

Be it enacted, etc., as follows:

Section twenty of chapter three of the General Laws, as amended by section two of chapter four hundred and ninety-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by adding at the end thereof the following: — Payments to persons authorized to receive compensation under this section shall be made from the treasury of the commonwealth in anticipation of an appropriation,

G. L. 3, § 20, etc., amended.

Travel compensation of certain legislative employees.

Time of payment.

in the month of January of each year, upon the certificate of the sergeant-at-arms approved by the president of the senate and the speaker of the house of representatives, — so as to read as follows: — *Section 20.* Doorkeepers, assistant doorkeepers, messengers and pages, the postmaster and assistant postmaster, and the clerk, assistant clerk and other assistants in the legislative document room shall each receive for each annual session three dollars and sixty cents for every mile of ordinary traveling distance from their places of abode to the place of the sitting of the general court. Payments to persons authorized to receive compensation under this section shall be made from the treasury of the commonwealth in anticipation of an appropriation, in the month of January of each year, upon the certificate of the sergeant-at-arms approved by the president of the senate and the speaker of the house of representatives. *Approved January 30, 1922.*

Chap. 9 AN ACT EXEMPTING CERTAIN OFFICERS AND INSPECTORS OF THE DEPARTMENT OF PUBLIC SAFETY FROM GIVING BONDS.

Be it enacted, etc., as follows:

G. L. 22, § 8, amended.

Officers, etc., of department of public safety to be sworn, etc.

Chapter twenty-two of the General Laws is hereby amended by striking out section eight and inserting in place thereof the following: — *Section 8.* Each officer or inspector shall, before entering upon the performance of his duties, be sworn to the faithful performance thereof, and unless his oath of office is taken within ten days after the date of his appointment, the appointment shall be void.

Approved February 1, 1922.

Chap. 10 AN ACT AUTHORIZING THE TREASURER AND RECEIVER GENERAL TO MAKE DEPOSITS IN THE CITY OF NEW YORK TO MEET OBLIGATIONS PAYABLE IN THAT CITY.

Be it enacted, etc., as follows:

G. L. 29, § 34, amended.

Section thirty-four of chapter twenty-nine of the General Laws is hereby amended by inserting after the word "capital", in the sixth line the following: — For the purpose of paying the principal or interest due on any bond, note or other obligation of the commonwealth, which is payable in the city of New York, he may keep on deposit in any national bank or trust company in said city, approved for the purpose by the governor and council, a sum not exceeding in the

aggregate twenty-five thousand dollars, provided that for a period of two weeks prior to the date of any such payment or payments, said amount may be increased by a sum or sums sufficient to cover the same, — so as to read as follows: —

Section 34. The state treasurer may deposit any portion of the public moneys in his possession in such national banks, or trust companies, lawfully doing business in the commonwealth, as shall be approved at least once in three months by the governor and council; but the amount deposited in any one bank or trust company shall not at any one time exceed forty per cent of its paid up capital. For the purpose of paying the principal or interest due on any bond, note or other obligation of the commonwealth, which is payable in the city of New York, he may keep on deposit in any national bank or trust company in said city, approved for the purpose by the governor and council, a sum not exceeding in the aggregate twenty-five thousand dollars, provided that for a period of two weeks prior to the date of any such payment or payments, said amount may be increased by a sum or sums sufficient to cover the same. A state treasurer making any deposit in violation of the foregoing provision shall be deemed guilty of misconduct and maladministration in his office within the meaning of the constitution; and any bank or trust company receiving any deposit in violation thereof shall be disqualified from receiving said moneys for the period of three years from the date of said deposit. All interest received on any deposits under this section shall be paid to the commonwealth.

Deposit of public moneys by state treasurer.

Certain deposits in city of New York, authorized.

Proviso.

Penalty for violation, etc.

Approved February 1, 1922.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PAY A *Chap. 11*
SUM OF MONEY TO THE WIDOW OF JAMES T. McCABE.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge may pay to Louisa McCabe, widow of James T. McCabe, a sum of money equal to the amount of salary to which said James T. McCabe would have been entitled as a captain in its fire department, had he lived and served in said capacity until March thirty-first, nineteen hundred and twenty-two.

City of Cambridge may pay sum of money to widow of James T. McCabe.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.

Proviso.

Approved February 1, 1922.

Chap. 12 AN ACT AUTHORIZING THE TOWN OF SOUTH HADLEY TO BORROW MONEY FOR BRIDGE PURPOSES.

Be it enacted, etc., as follows:

Town of South Hadley may borrow money for bridge purposes.

SECTION 1. For the purpose of reconstructing that portion of the bridge across the Connecticut river between Holyoke and South Hadley, which is to be maintained by the town of South Hadley in accordance with a decree of the supreme judicial court, or to meet a temporary emergency loan made for the purpose, the town of South Hadley may borrow a sum of money not exceeding twenty-two thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, South Hadley Bridge Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and shall be payable in not more than ten years. Indebtedness incurred under this act shall, except as herein provided, be in accordance with chapter forty-four of the General Laws.

South Hadley Bridge Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved February 3, 1922.

Chap. 13 AN ACT CONSTITUTING A SPECIAL COMMISSION TO PROVIDE FOR CLEARING THE WOODS OF THE METROPOLITAN PARKS OF FALLEN TREES AND BROKEN LIMBS AND BRANCHES, AND MAKING AN APPROPRIATION THEREFOR.

Be it enacted, etc., as follows:

Special commission to provide for clearing woods of metropolitan parks of fallen trees and broken limbs and branches, establishment, etc.

SECTION 1. The commissioner of the metropolitan district commission, the commissioner of conservation, the commissioner of public welfare, the state commander of The American Legion and a person designated by the governor, who shall be the chairman of the Massachusetts committee to promote work, are hereby constituted a special commission for the purpose of clearing the forests of the metropolitan parks of fallen trees and broken limbs and branches. It may employ such persons as may be necessary for said purposes and fix their compensation. The work hereby authorized shall be done under the immediate supervision of the metropolitan district commission. Persons employed hereunder shall not be subject to civil service laws or the rules and regulations made thereunder, except that only American citizens shall be employed by said special commission. The members of said special commission shall serve without compensation and shall continue in office until the first of December in

Supervision of work by metropolitan district commission. Employees not subject to civil service, etc.

the current year, unless sooner relieved of duty by the governor.

SECTION 2. To provide for the expenditures herein authorized there is hereby appropriated the sum of fifty thousand dollars, of which twenty-five thousand dollars shall be paid from the general fund or ordinary revenue of the commonwealth, and twenty-five thousand dollars shall be paid from the Metropolitan Parks Maintenance Fund and be assessed upon the cities and towns of the metropolitan parks district, in accordance with the law relative to assessments for the maintenance of metropolitan parks. Appropriation.

SECTION 3. This act shall take effect upon its passage.
Approved February 3, 1922.

AN ACT RELATIVE TO THE DISPOSAL OF MONEYS RECEIVED
BY THE METROPOLITAN DISTRICT COMMISSION ON ACCOUNT
OF BUNKER HILL MONUMENT. Chap. 14

Be it enacted, etc., as follows:

Section forty-eight of chapter ninety-two of the General Laws is hereby amended by adding at the end thereof the following:—This section shall not apply to any moneys received by the commission from admissions, souvenir privileges or from any other source, in connection with the Bunker Hill monument; but all moneys so received shall be paid into the general revenue of the commonwealth,—so as to read as follows:—*Section 48.* All sums of money collected or received by the commission in the exercise of its functions in relation to reservations or boulevards, including current receipts from the bath houses and sums received in the exercise of said functions for rentals, sales or use of property under its charge, and all fines recovered for violation of rules and regulations made by the commission, or for violation of the laws of the commonwealth within the limits of said reservations or boulevards, shall be accounted for and paid to the state treasurer, who shall receive the same and hold and invest the same, together with money collected or received by him in payment of betterments assessed by the commission in its exercise of said functions, as a fund known as the Metropolitan Parks Expense Fund. The commission may expend said fund and any proceeds therefrom for the maintenance and improvement of the reservations and boulevards under its care, in addition to any loans or appropriations authorized for such purposes. This section shall not apply to G. L. 92, § 48,
amended.

Disposal of
certain moneys
received by
metropolitan
district com-
mission.

Disposal of
moneys

received on
account of
Bunker Hill
monument.

any moneys received by the commission from admissions, souvenir privileges or from any other source, in connection with the Bunker Hill monument; but all moneys so received shall be paid into the general revenue of the commonwealth.

Approved February 3, 1922.

Chap. 15 AN ACT RELATIVE TO APPROPRIATIONS FOR THE MAINTENANCE OF THE STATE LIBRARY.

Be it enacted, etc., as follows:

G. L. 6, § 36,
amended.

State library,
appropriations
for main-
tenance.

Chapter six of the General Laws is hereby amended by striking out section thirty-six and inserting in place thereof the following: — *Section 36.* The trustees of the state library may expend such sums annually as the general court may appropriate for permanent assistants and clerks, for books, maps, papers, periodicals and other material for the library and for binding the same and for incidental expenses including binding their report.

Approved February 3, 1922.

Chap. 16 AN ACT AUTHORIZING THE CITY OF HAVERHILL TO PENSION HARRY L. COOK.

Be it enacted, etc., as follows:

City of Haver-
hill may
pension Harry
L. Cook.

To be sub-
mitted to mu-
nicipal council,
etc.
Proviso.

SECTION 1. The city of Haverhill may retire Harry L. Cook, the present janitor of its city hall, on an annual pension equal to one half his present annual compensation.

SECTION 2. This act shall take effect upon its acceptance by the municipal council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved February 3, 1922.

Chap. 17 AN ACT RELATIVE TO THE GRADING, STORAGE AND SALE OF FRESH FOOD FISH.

Be it enacted, etc., as follows:

G. L. 94, § 74,
amended.

Fish to be
graded, etc.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section seventy-four and inserting in place thereof the following: — *Section 74.* All fresh food fish before being offered for sale or placed in cold storage shall be graded as follows: —

First grade fish.

First grade fish. Only fish known in the trade as "new fish."

Second grade fish. All other fish in suitable condition to be offered for sale as fresh fish. Second grade fish.

Third grade fish. Fish suitable only for splitting and salting or otherwise preserving, but not suitable for sale as fresh fish. Third grade fish.

First grade fish shall be sold as "number one fish", "shore fish", or under any other truthful designation. Second grade fish shall be sold as "number two fish" or "off shore fish". Third grade fish shall be sold as "number three fish". Designations under which to be sold.

No person shall represent, sell, offer for sale or advertise fresh or frozen fish of any grade under any but the truthful and correct name and grade or corresponding term for such fish. Truthful and correct name and grade to be used in sales.

SECTION 2. Said chapter ninety-four is hereby further amended by striking out section seventy-six and inserting in place thereof the following: — *Section 76.* No person shall sell or offer or expose for sale at retail, for food, "number three fish". "Number three fish" shall be offered, exposed for sale or sold only at wholesale and then only for splitting and salting or otherwise preserving. G. L. 94, § 76, amended.
"Number three fish", sale regulated.

Approved February 4, 1922.

AN ACT TO AMEND THE CHARTER OF THE CITY OF FALL RIVER IN RESPECT TO THE INAUGURATION OF THE CITY GOVERNMENT. *Chap. 18*

Be it enacted, etc., as follows:

Section eight of chapter three hundred and ninety-three of the acts of nineteen hundred and two, as amended by section two of chapter two hundred and twenty-five of the acts of nineteen hundred and three, is hereby further amended by inserting after the word "January" in the first line the words: — , except when said first Monday falls upon a legal holiday, in which event upon the following day, — so as to read as follows: — *Section 8.* On the first Monday of January, except when said first Monday falls upon a legal holiday, in which event upon the following day, at ten o'clock in the morning, the mayor elect, if any there be, otherwise the mayor and aldermen and aldermen elect shall meet, and the mayor elect and aldermen elect shall be sworn to the faithful performance of their duties. At any time thereafter the oath may be administered to the mayor elect or to any alderman elect who was absent or was not then elected. After the mayor elect and the aldermen elect, or a majority thereof, 1902, 393, § 8, etc., amended.
City of Fall River, inauguration of city government, time, etc.

have been sworn the board of aldermen shall be called together by the mayor, and a president and vice president shall forthwith be elected from the board, in the order named. The mayor shall preside pending the election of a president, who, when elected, shall preside during the election of a vice president. No other business shall be transacted by the aldermen until the officers aforesaid have been elected. The city clerk shall be clerk of the board of aldermen.

Approved February 4, 1922.

Chap. 19 AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES AND VALIDATING A VOTE OF THE TOWN OF GREENFIELD PASSED AT A SPECIAL MEETING.

Be it enacted, etc., as follows:

Town of Greenfield may borrow money for schoolhouse purposes.

SECTION 1. For the purpose of constructing a high school building on land owned by the town, the town of Greenfield may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, of which amount two hundred thousand shall be outside the debt limit, and may issue bonds or notes therefor, which shall bear on their face the words, Greenfield School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Greenfield School Loan, Act of 1922.

Certain vote of town ratified and confirmed.

SECTION 2. The action of the inhabitants of the town of Greenfield at a special town meeting held August third, nineteen hundred and twenty-one, in voting to borrow the sum of four hundred thousand dollars to provide money to carry out a vote of said town at said meeting appropriating said sum for the construction of a new high school building upon land owned by said town according to plans then and there accepted by it, is hereby ratified and confirmed, and shall have the same effect and be valid to the same extent as if it had been in compliance with section ten of chapter forty-four of the General Laws, and as if section one of this act had been enacted prior to said vote.

SECTION 3. This act shall take effect upon its passage.

Approved February 4, 1922.

AN ACT AUTHORIZING THE TOWN OF SUNDERLAND TO INCUR *Chap. 20*
INDEBTEDNESS FOR THE PURPOSE OF ERECTING A SCHOOL-
HOUSE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and equipping a school building, the town of Sunderland may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, sixty-five thousand dollars, of which amount fifty thousand dollars shall be outside the debt limit, and may issue bonds or notes therefor, which shall bear on their face the words, Sunderland Schoolhouse Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Sunderland may borrow money for schoolhouse purposes.

Sunderland Schoolhouse Loan, Act of 1922.

SECTION 2. The vote passed by the town of Sunderland at its special meeting held November nineteenth, nineteen hundred and twenty-one, authorizing the borrowing of sixty-five thousand dollars for schoolhouse purposes, is hereby validated and confirmed, and the town may borrow for the said purposes in accordance with the said vote, notwithstanding that the total amount authorized is in excess of the amount which might be borrowed in accordance with general laws.

Certain vote of town validated and confirmed.

SECTION 3. This act shall take effect upon its passage.
Approved February 4, 1922.

AN ACT RELATIVE TO THE APPROVAL OF EXPENSES OF THE *Chap. 21*
OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF CORPORATIONS AND TAXATION.

Be it enacted, etc., as follows:

Section five of chapter fourteen of the General Laws is hereby amended by inserting after the word "expenses" in the fifth line the following: — , subject to section twenty-five of chapter thirty, — and also by striking out, in the sixth line, the words "and the governor and council", so as to read as follows: — *Section 5.* The commissioner, his deputies, directors of divisions, assistants, appraisers, examiners and clerks, the supervisors of assessors, the assistants to the director of the income tax division, and the income tax

G. L. 14, § 5, amended.

Department of corporations and taxation, approval of expenses of officials and employees.

assessors and their deputies, assistants and clerks shall be allowed such reasonable and necessary traveling and other expenses, subject to section twenty-five of chapter thirty, as are approved by the commissioner.

Approved February 6, 1922.

Chap. 22 AN ACT RELATIVE TO THE ANALYSIS OF LIQUORS BY THE
DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

G. L. 138, § 54,
etc., amended.

Analysis of
liquor by
department of
public health.

Section fifty-four of chapter one hundred and thirty-eight of the General Laws, as amended by chapter four hundred and ninety-five of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the third line, the words "a chemical", and inserting in place thereof the word: — an, — and also by striking out, in the twelfth line, the word "chemical", so as to read as follows: — *Section 54.* The analyst or assistant analyst of the department of public health shall upon request make, free of charge, an analysis of all liquors sent to it by the licensing board of any city, the selectmen of any town, or by police officers or other officers authorized by law to make seizures of liquors, if the department is satisfied that the analysis requested is to be used in connection with the enforcement of the laws of the commonwealth. The said department shall return to such licensing board, selectmen, police or other officers, as soon as may be, a certificate, signed by the analyst or assistant analyst making such analysis, of the percentage of alcohol by weight at sixty degrees Fahrenheit which such samples of liquor contain. Such certificate shall be prima facie evidence of the composition and quality of the liquors to which it relates, and the court may take judicial notice of the signature of the analyst or the assistant analyst, and of the fact that he is such.

Approved February 8, 1922.

Chap. 23 AN ACT AUTHORIZING THE CITY OF CHELSEA TO PENSION
THOMAS B. FROST.

Be it enacted, etc., as follows:

City of Chelsea
may pension
Thomas B.
Frost.

SECTION 1. Upon the acceptance of this act, the city of Chelsea shall forthwith retire Thomas B. Frost, the present city treasurer, on an annual pension equal to one half the annual compensation paid him at the time of his retirement.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of such city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 8, 1922.

AN ACT REQUIRING STATE OFFICERS AND HEADS OF DEPARTMENTS TO SUBMIT TO SENATE OR HOUSE COUNSEL DRAFTS OF BILLS ACCOMPANYING THEIR ANNUAL REPORTS FOR ADVICE AND ASSISTANCE AS TO THE FORM THEREOF.

Chap. 24

Be it enacted, etc., as follows:

SECTION 1. Section fifty-three of chapter three of the General Laws is hereby amended by adding at the end thereof the following: — They shall advise and assist as to the form of drafts of bills submitted to them in accordance with section thirty-three of chapter thirty, — so as to read as follows: — *Section 53.* The said counsel may, from time to time, submit to the general court such proposed changes and corrections in the general statutes as they deem necessary or advisable. They shall, as early as practicable after prorogation, file in the office of the state secretary a copy of all amendments of and additions to the General Laws, which shall be open to public inspection. They shall advise and assist as to the form of drafts of bills submitted to them in accordance with section thirty-three of chapter thirty.

G. L. 3, § 53, amended.

Counsel for senate and house, duties, etc.

SECTION 2. Section thirty-three of chapter thirty of the General Laws is hereby amended by adding at the end thereof the following: — Such drafts of bills shall, seasonably before being deposited with the state secretary, be submitted to the counsel to the senate or counsel to the house of representatives for advice and assistance as to the form thereof, — so as to read as follows: — *Section 33.* State officers and departments or heads thereof, except the supervisor, shall annually, on or before the first Wednesday in December, deposit with the state secretary such parts of their annual reports as contain recommendations or suggestions for legislative action, accompanied by drafts of bills embodying the legislation recommended; and the state secretary shall forthwith transmit them to the general court; provided, that such recommendations or suggestions for legislative action shall not include any requests for appropriations or any matters required to be covered by budget estimates submitted to the supervisor under section three or four of chapter twenty-nine. Such

G. L. 30, § 33, amended.

Annual reports of state officers, etc., to be accompanied by drafts of legislation recommended.

Proviso.

Drafts of bills to be submitted

to senate or
house counsel
for advice, etc.

drafts of bills shall, seasonably before being deposited with the state secretary, be submitted to the counsel to the senate or counsel to the house of representatives for advice and assistance as to the form thereof.

Approved February 8, 1922.

Chap. 25 AN ACT AMENDING THE CHARTER OF THE STANDISH MONUMENT ASSOCIATION.

Be it enacted, etc., as follows:

1872, 338, etc.,
new section
after § 2.

Standish Mon-
ument Associa-
tion may pur-
chase, hold and
convey certain
land, etc.

Chapter three hundred and thirty-eight of the acts of eighteen hundred and seventy-two, as amended by chapter sixty-five of the acts of eighteen hundred and seventy-seven, is hereby further amended by adding at the end thereof the following: — *Section 3.* Said corporation may purchase and hold the land in Duxbury on which once stood the house of Captain Myles Standish and land contiguous thereto, may erect thereon a monument or marker and may convey said land to the town of Duxbury or to any association or corporation, but in no event to the commonwealth of Massachusetts; and said corporation may provide for suitable care of said land and monument by gift or payment of money to the said grantee.

Approved February 9, 1922.

Chap. 26 AN ACT RELATIVE TO THE TIME DURING WHICH THE POLLS SHALL BE KEPT OPEN AT PRELIMINARY ELECTIONS IN THE CITY OF LOWELL.

Be it enacted, etc., as follows:

1921, 383, § 7,
amended.

City of Lowell,
city elections,
preliminary
elections, etc.,
time of holding,
etc.

SECTION 1. Section seven of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-one is hereby amended by striking out all after the word "shall" in the seventeenth line and inserting in place thereof the words: — be open during such hours, not less than nine, as shall be designated by the election commission, — so as to read as follows: — *Section 7.* The first city election under this act shall be held on the second Tuesday of December in the year nineteen hundred and twenty-one, and thereafter city elections shall be held biennially in every odd numbered year. On the third Tuesday preceding every election at which any office mentioned in this act is to be filled, except as otherwise provided herein, there shall be held a preliminary election for the purpose of nominating candidates therefor. No special election for mayor or any other officer shall be held until after the expiration of forty days from the calling

of a preliminary election therefor, except as otherwise provided herein. At every biennial and special election the polls shall be opened at six o'clock in the forenoon, and shall close not earlier than four o'clock, in the afternoon, and the laws of the commonwealth relative to city elections shall apply thereto, except as is otherwise specifically provided herein. At every preliminary election the polls shall be open during such hours, not less than nine, as shall be designated by the election commission.

Polling hours at biennial and special elections.

At preliminary elections.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Lowell, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 9, 1922.

AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Chap. 27

Be it enacted, etc., as follows:

SECTION 1. For the purpose of building a high school building in the central part of the town of Shrewsbury, and for the purchase of land and the building of new school buildings, or the enlargement of existing school buildings, in the west or other parts of said town, and for the purchase of furnishings and original equipment for said buildings or additions, the town of Shrewsbury may borrow from time to time a sum not exceeding in the aggregate two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Shrewsbury School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Shrewsbury may borrow money for school purposes.

Shrewsbury School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1922.

AN ACT AUTHORIZING THE BORROWING OF MONEY BY CITIES TO MEET EXPENDITURES BY CITY OFFICIALS IN ANTICIPATION OF APPROPRIATIONS.

Chap. 28

Be it enacted, etc., as follows:

Chapter forty-four of the General Laws is hereby amended by inserting after section five the following new section: —

G. L. 44, new section after § 5.

Cities may borrow money to meet expenditures by city officials in anticipation of appropriations.

Section 5A. To provide the necessary funds to meet liabilities authorized by section thirty-four, the treasurer of a city, with the approval of the official whose approval is required by the city charter in the borrowing of money, may borrow on notes of the city, during any one month between the beginning of the financial year and the time of passing the revenue loan order, a sum not exceeding one twelfth of the amount obtained by adding the previous year's tax levy to the sum received from the commonwealth on account of the income tax during the preceding year. The amount so borrowed shall be deemed a part of the amount which may be borrowed under section four. The provisions of city charters relative to loan orders shall not otherwise apply to loans issued under this section.

Approved February 9, 1922.

Chap. 29 AN ACT AUTHORIZING THE TOWN OF WINCHENDON TO BORROW MONEY FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

1906, 245, § 6,
amended.

Town of Winchendon may borrow money for sewerage purposes.

Winchendon
Sewer Loan.

SECTION 1. Chapter two hundred and forty-five of the acts of nineteen hundred and six is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* For the purpose of paying the necessary expenses and liabilities incurred under this act, the town of Winchendon may borrow from time to time such sums as may be necessary, not exceeding in the aggregate two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Winchendon Sewer Loan. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but, except as provided herein, shall be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1922.

Chap. 30 AN ACT CHANGING THE HARBOR LINE IN BOSTON HARBOR ON THE SOUTHERLY AND EASTERLY SIDES OF EAST BOSTON.

Be it enacted, etc., as follows:

Harbor lines on northerly side of Boston harbor changed and established.

SECTION 1. The harbor lines on the northerly side of Boston harbor are hereby changed and established as follows: — The location of each of the angle points in the lines hereinafter described is fixed by a distance hereinafter called

longitude, in feet from a meridian passing through the center of the apex of the dome of the state house in Boston, and by a distance hereinafter called latitude, in feet from a line at right angles to said meridian and passing through the said center of the apex of the state house dome, and the bearings refer to the true meridian passing through center of said apex. Beginning at point H in the pierhead line established by the secretary of war July twenty-seven, eighteen hundred and eighty-nine and located in latitude two thousand one hundred sixty-seven and five tenths feet north and longitude six thousand forty-eight and four tenths feet east; thence thirteen thousand eight hundred ninety-seven and four tenths feet south, fifty-six degrees, forty-four minutes, four and four tenths seconds east to point I in latitude five thousand four hundred fifty-five and four tenths feet south and longitude seventeen thousand six hundred sixty-eight and five tenths feet east; thence two thousand six hundred fifty-six and nine tenths feet south, seventy-four degrees east to point J in latitude six thousand one hundred eighty-seven and eight tenths feet south and longitude twenty thousand two hundred twenty-two and five tenths feet east; thence one thousand six hundred thirty-one and two tenths feet north, nineteen degrees east to point K in latitude four thousand six hundred forty-five and four tenths feet south and longitude twenty thousand seven hundred fifty-three and five tenths feet east; thence ten thousand fourteen feet north, forty-nine degrees, fourteen minutes, fifty-five seconds west to point L in latitude one thousand eight hundred ninety-one and five tenths feet north and longitude thirteen thousand one hundred sixty-seven and four tenths feet east; thence one thousand two hundred feet north, forty degrees, forty-five minutes, five seconds east to point M in latitude two thousand eight hundred and six tenths feet north and longitude thirteen thousand nine hundred fifty and eight tenths feet east; thence seven thousand six hundred feet south, forty-nine degrees, fourteen minutes, fifty-five seconds east to point N in latitude two thousand one hundred sixty and five tenths feet south and longitude nineteen thousand seven hundred eight and one tenth feet east; thence one thousand seven hundred ninety-nine and nine tenths feet south, seventy-four degrees east to point O in latitude two thousand six hundred fifty-six and six tenths feet south and longitude twenty-one thousand four hundred thirty-eight and three tenths feet east; thence two thousand seven hun-

Same subject.

Same subject.

dred feet north, nineteen degrees east to point P in latitude one hundred three and seven tenths feet south and longitude twenty-two thousand three hundred seventeen and three tenths feet east; thence nine thousand six hundred eighty-five and two tenths feet north, fifty-six degrees, fifty-nine minutes, forty-one seconds west to point Q in latitude five thousand one hundred seventy-two feet north and longitude fourteen thousand one hundred ninety-five and one tenth feet east; thence three hundred fourteen and one tenth feet north, twenty-one degrees, six minutes, four and three tenths seconds east to point R in the harbor line established by chapter two hundred and ninety-three of the acts of eighteen hundred and fifty-six in latitude five thousand four hundred sixty-five feet north and longitude fourteen thousand three hundred eight and two tenths feet east.

Harbor line,
previously
established,
abolished.

SECTION 2. The harbor line established by chapter one hundred and eleven of the acts of nineteen hundred and twenty-one is hereby abolished.

Approved February 10, 1922.

Chap. 31 AN ACT PROVIDING FOR RETURNS TO THE COMMISSIONER OF CIVIL SERVICE AS TO THE EMPLOYMENT OF CITY EMPLOYEES SUBJECT TO THE CIVIL SERVICE LAWS AND REGULATIONS.

Be it enacted, etc., as follows:

G. L. 31, § 31,
amended.

City officers or
boards employ-
ing persons
under civil
service laws
and regulations
to report to
commissioner
of civil service
and city audit-
ing officers.

Chapter thirty-one of the General Laws is hereby amended by striking out section thirty-one and inserting in place thereof the following:—*Section 31.* The officer or board having power in any city to appoint or employ persons in any department thereof to which this chapter and the rules thereunder apply shall, within seven days after the receipt of a written request therefor made by the commissioner, make and file with the commissioner and with the auditor or officers whose duty it is to audit the accounts of such appointing or employing officer or board, a report containing the names of all persons who have been appointed or employed by such appointing or employing officer or board or who have received pay or rendered bills for services or labor rendered or performed during the calendar month next preceding the date of the filing of such request. Said reports shall be made on oath and shall contain the following information: First, name of person appointed or employed, or rendering bill for services or labor; second, nature and brief

description of the services or labor which such person has actually rendered or performed during said month; third, title of the office or employment of such person as stated in the pay rolls of the department; fourth, the regular salary or wages of the appointee or employee; fifth, all other payments of any kind made to the appointee or employee during said month; provided, that such appointing or employing officer or board shall not be required to file in any month more than one such report with the commissioner and one with the auditor or auditing officers. The reports in the office of the auditor or auditing officers shall be open to public inspection.

Proviso.

Public inspection of reports.

The supreme judicial court by mandamus or other appropriate remedy in law or in equity, upon suit or petition of the commissioner, may compel any such appointing or employing officer or board in any city to comply with this section.

Court may compel compliance with this section.

Every appointing or employing officer, or in the case of a board every member thereof, who wilfully refuses to comply with this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars.

Penalty.

Approved February 10, 1922.

AN ACT PROVIDING FOR THE SUBMISSION OF CERTAIN VOTES AND MOTIONS FOR REFERENDUM IN THE TOWN OF WINCHESTER.

Chap. 32

Be it enacted, etc., as follows:

SECTION 1. At all town meetings and adjournments thereof, held in the town of Winchester, except that part of the annual meeting held for the election of town officers, officers to be appointed for the purpose by the selectmen and to be known as official tellers, shall attend at the entrance or entrances to the place of meeting and shall permit only voters of the town to enter. Such officers shall determine by the use of check lists, or by other means approved by the selectmen, the number of voters admitted to each meeting. The official tellers shall forthwith make return in writing to the town clerk under oath, which may be administered by the town clerk, of the number of voters admitted to each meeting and shall file with their return any check list used by them.

Town of Winchester, official tellers at town meetings, appointment, duties, etc.

SECTION 2. Any vote passed or motion rejected at any original or adjourned town meeting attended by one thousand

Submission of certain votes and motions for referendum.

or more voters according to the official tellers' return as filed under the preceding section, shall, upon a petition filed under section three, be submitted to the voters for ratification or determination by official ballot at a subsequent town meeting called in the manner prescribed in said section three. No vote subject to ratification or determination shall take effect until the expiration of five days after the final adjournment or dissolution of such meeting, nor, if a petition for ratification has been filed, until such vote shall be ratified in the manner hereinafter provided. The provisions of this act shall not apply to votes for moderator or for any other town officer, to matters required by law to be voted upon by official ballot, to votes to incur debt for extreme emergency appropriations under the provisions of section seven of chapter forty-four of the General Laws, or to such parliamentary or other votes or motions as may be hereafter designated by by-law.

Time of taking effect of votes subject to referendum.

Provisions of act not applicable to certain votes and motions.

Petition for referendum.

SECTION 3. If within five days after the final adjournment or dissolution of any town meeting, a petition addressed to the selectmen shall be filed with the town clerk, signed by at least one hundred registered voters, requesting that any vote or motion subject to ratification or determination and passed or rejected at such meeting be submitted to the voters of the town for ratification or determination by official ballot, then the town clerk shall forthwith examine said petition, and if it is correct shall so certify thereon and transmit the same forthwith to the selectmen, who shall thereupon call a special town meeting for the sole purpose, except as provided in this section, of submitting such vote or motion for ratification or determination by the voters at large. At such special meeting so called a vote shall be taken by official ballot and by use of the check list upon the question: "Shall the following (vote passed) (motion rejected) at the town meeting held on the day of nineteen hundred and be (ratified) (passed)?
Vote ".

Examination and certification by town clerk.

Selectmen to call special town meeting, etc.

Vote to be taken by ballot, etc.

What votes and motions to be acted upon, etc.

Votes or motions receiving majority of votes cast considered ratified, etc.
Proviso.

All other votes passed and motions rejected at the same town meeting, petitions for the ratification or determination of which have been transmitted to the selectmen in accordance with this section, shall be acted upon as herein provided at such special meeting. Any vote or motion submitted as aforesaid, receiving a majority of the votes cast thereon, shall be considered to be ratified or passed; otherwise such vote or motion shall have no force or effect; provided, that if any

vote or motion required for its original passage more than a majority of the votes cast at any town meeting, then a like proportion of votes at such special town meeting shall be required for ratification or passage.

SECTION 4. The selectmen shall prepare ballots to be used at such special meeting and the conduct of such meeting and the time of opening and closing the polls shall be subject to their direction but in accordance with such by-laws as the town may adopt. In case two or more votes passed at a town meeting relate to one subject-matter, and a petition is filed as aforesaid for the ratification of one or more such votes, the selectmen may in their discretion submit, in addition to those for which petitions are filed, any or all of the votes relating to the same subject-matter; and for this purpose a vote to borrow money shall be held to relate to the same subject-matter as the vote or votes to appropriate the money to be borrowed.

Selectmen to prepare ballots, direct conduct of special meetings, etc.

Referendum in case of two or more votes passed relating to one subject-matter.

SECTION 5. The town clerk shall make a record of the official tellers' returns of the number of voters admitted to each meeting in the records of the meeting and shall preserve such returns and all check lists filed as aforesaid until at least twenty days after the final adjournment or dissolution of the town meeting to which they relate or at which they were used and they shall be open to public inspection. The town clerk shall also make copies of all petitions, filed as aforesaid, exclusive of the names affixed thereto, in the records of the meeting for ratification or determination to which they relate, and shall preserve such copies for public inspection until at least twenty days after the dissolution of the meeting for ratification or determination. All records made as aforesaid by the town clerk shall have the same legal force and effect as other records of proceedings at town meetings.

Town clerk to record official tellers' returns, to make and preserve copies of petitions, etc.

SECTION 6. This act shall be submitted to the voters of the town of Winchester for their acceptance at the next annual meeting in the form of the following question, which shall be placed upon the official ballot used for the election of town officers: "Shall an act passed by the general court in the year nineteen hundred and twenty-two, entitled 'An Act providing for the submission of certain votes and motions for referendum in the town of Winchester' be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to such question, thereupon said act shall take effect in such town, but not otherwise.

To be submitted to voters, etc.

Time of taking effect.

SECTION 7. So much of this act as authorizes its submission to the voters of said town for their acceptance shall take effect upon its passage. *Approved February 10, 1922.*

Chap. 33 AN ACT AUTHORIZING THE TOWN OF GOSNOLD TO ERECT AND MAINTAIN A WHARF AND PUBLIC LANDING.

Be it enacted, etc., as follows:

Town of Gosnold may erect and maintain a wharf and public landing.

SECTION 1. The town of Gosnold may, in accordance with a license issued by the department of public works, dated April twenty-second, nineteen hundred and twenty-one, erect a wharf and public landing on land now owned or to be acquired by it and may maintain the same. The powers conferred by this act may be exercised by the selectmen, who shall also have power to make rules and regulations governing the use of the said wharf as a public landing.

May borrow money.

SECTION 2. For the purpose of acquiring said land and of erecting said wharf, the town of Gosnold may from time to time borrow, within the statutory limit of indebtedness, such sums as may be necessary not exceeding, in the aggregate, three thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Gosnold Wharf Loan, Act of 1922. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than three years from their dates. Any indebtedness incurred under this act shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Gosnold Wharf Loan, Act of 1922.

SECTION 3. This act shall take effect upon its passage.

Approved February 11, 1922.

Chap. 34 AN ACT PROVIDING FOR THE ABATEMENT OF UNCOLLECTED TAXES.

Be it enacted, etc., as follows:

G. L. 58, § 8, amended.

Section eight of chapter fifty-eight of the General Laws is hereby amended by adding at the end thereof the words: — If in the opinion of the commissioner any such taxes should be abated, he may at any time after the expiration of said three years authorize the assessors, in writing, to abate any part or the whole of such taxes, either by items or by abatement of a sum total, stated in such written authorization. The assessors may thereupon make the abatement authorized and enter the same in their record of abatements, making reference in said record to such authorization as the cause

or reason for the abatement, — so as to read as follows:—
Section 8. Whenever it appears to the commissioner that at the end of three years from the commitment of any warrant to a collector any taxes upon such warrant remain uncollected, or if collected have not been turned over to the town treasurer, the commissioner shall within one year bring the matter to the attention of the attorney general, who may bring or cause to be brought an action of contract in the name of the town against the collector and upon his bond, in the superior court for the county where the town lies. Any amount recovered under this section shall be paid into the treasury of the town in whose name the action is prosecuted; but all reasonable expenses incurred by the attorney general in any such action shall be borne by the town, and may be recovered from it by the commonwealth in contract. If in the opinion of the commissioner any such taxes should be abated, he may at any time after the expiration of said three years authorize the assessors, in writing, to abate any part or the whole of such taxes, either by items or by abatement of a sum total, stated in such written authorization. The assessors may thereupon make the abatement authorized and enter the same in their record of abatements, making reference in said record to such authorization as the cause or reason for the abatement. *Approved February 11, 1922.*

Proceedings against certain delinquent tax collectors.

Abatement of uncollected taxes.

AN ACT RELATIVE TO LAMPLIGHTERS LIGHTING THE LAMPS IN THE STREETS, ALLEYS, PUBLIC GROUNDS AND PARKS OF THE CITY OF BOSTON.

Chap. 35

Be it enacted, etc., as follows:

SECTION 1. Any person who was engaged in the occupation of lamplighter lighting the gas lamps in the streets, alleys, public grounds and parks of the city of Boston, on January first, nineteen hundred and twenty-two, and who has lost or shall within five years from said January first lose his position by reason of a change in the street lighting methods employed by the city, may in the discretion of the mayor of said city be appointed to a position as laborer or skilled laborer in the labor service of any department of the city for which such lamplighter is qualified and fitted by previous training and experience, or subject to the approval of said mayor by the head of any such department of said city without being subject as to his appointment to civil service rules, and without undergoing a civil service exami-

Lamplighters lighting lamps in streets, alleys, public grounds, etc., of city of Boston may be appointed to certain other positions without civil service examination, etc.

nation, and thereupon he shall be registered upon the list in the class to which he has been appointed and shall be subject to civil service laws and rules.

To be submitted to city council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter; provided, such acceptance occurs prior to December thirty-first in the current year.

Approved February 11, 1922.

Chap. 36 AN ACT GIVING THE COMMISSIONER OF CIVIL SERVICE DISCRETIONARY AUTHORITY TO ALLOW THE APPOINTMENT OF PERSONS CONVICTED OF CERTAIN OFFENCES AGAINST THE LAWS RELATIVE TO MOTOR VEHICLES.

Be it enacted, etc., as follows:

G. L. 31, § 17, amended.

Section seventeen of chapter thirty-one of the General Laws is hereby amended by adding at the end thereof the words:—; provided, that the commissioner may in his discretion authorize the appointment or employment, within said year, of a person convicted of a violation of any rule or regulation made under section thirty-one of chapter ninety or of any of the provisions of said chapter ninety relating to motor vehicles except those of sections twenty-three to twenty-five, inclusive,—so as to read as follows:— *Section 17.* No person habitually using intoxicating liquors to excess shall be appointed, employed or retained in any position to which this chapter applies, nor shall any person be appointed or employed in any such position within one year after his conviction of any crime against the laws of the commonwealth; provided, that the commissioner may in his discretion authorize the appointment or employment, within said year, of a person convicted of a violation of any rule or regulation made under section thirty-one of chapter ninety or of any of the provisions of said chapter ninety relating to motor vehicles except those of sections twenty-three to twenty-five, inclusive.

Approved February 11, 1922.

Certain persons ineligible for appointment under civil service laws, etc.

Proviso as to persons convicted of certain offences against motor vehicle laws.

Chap. 37 AN ACT ESTABLISHING HARBOR LINES IN WEYMOUTH FORE RIVER ABOVE QUINCY POINT BRIDGE.

Be it enacted, etc., as follows:

Harbor lines on easterly side of Weymouth Fore river above Quincy Point bridge, established.

Harbor lines on the easterly side of Weymouth Fore river above Quincy Point bridge, so-called, are hereby established as follows: Beginning at a point on the southerly side of the

Quincy Point bridge, so-called, in latitude forty-two degrees, fourteen minutes, forty and four tenths seconds north, and longitude seventy degrees, fifty-eight minutes, eighty-nine hundredths seconds west, thence south fifteen degrees, one minute, thirteen seconds west three hundred thirty-nine and six tenths feet to a point in latitude forty-two degrees, fourteen minutes, thirty-seven and sixteen hundredths seconds north and longitude seventy degrees, fifty-eight minutes, two and six hundredths seconds west; thence south four degrees, seven minutes, twenty-one seconds west, one thousand four hundred eighty-five and eighty-four hundredths feet to a point in latitude forty-two degrees, fourteen minutes, twenty-two and fifty-two hundredths seconds north, and longitude seventy degrees, fifty-eight minutes, three and forty-eight hundredths seconds west; thence south seventy-four degrees, twenty-nine minutes, fifty-three seconds east one thousand, two hundred and six tenths feet to a point in latitude forty-two degrees, fourteen minutes, nineteen and thirty-five hundredths seconds north, and longitude seventy degrees, fifty-seven minutes, forty-eight and one tenth seconds west; thence north eighty-five degrees, twenty-one minutes, twenty-six seconds east, one thousand, three hundred eighty-eight and sixty-nine hundredths feet to a point in latitude forty-two degrees, fourteen minutes, twenty and forty-six hundredths seconds north, and longitude seventy degrees, fifty-seven minutes, twenty-nine and seven tenths seconds west; thence south sixty degrees, fifty-seven minutes, fifty-nine seconds east eight hundred eight and five tenths feet to a point in latitude forty-two degrees, fourteen minutes, sixteen and fifty-eight hundredths seconds north and longitude seventy degrees, fifty-seven minutes, twenty and three tenths seconds west; thence south twenty-nine degrees, two minutes, seven and three tenths seconds west two thousand, two hundred ninety and fifty-four hundredths feet to a point at the northwest corner of a small wooden pier called the Idlewild Recreation Pier, in latitude forty-two degrees, thirteen minutes, fifty-six and eight tenths seconds north and longitude seventy degrees, fifty-seven minutes, thirty-five and eight hundredths seconds west.

The bearings and geographical positions used in the foregoing description are based on the elements of Clarke's spheroid and the astronomical data adopted by the United States Coast and Geodetic Survey in the year eighteen hundred and eighty.

Same subject.
Basis for description of harbor lines.

Harbor line,
previously
established,
abolished.

The line hereby established supersedes the line on the easterly or Weymouth side of the river established by chapter two hundred and eighty of the General Acts of nineteen hundred and sixteen, which is hereby abolished.

Approved February 11, 1922.

Chap. 38 AN ACT EXTENDING THE PROVISIONS OF THE CIVIL SERVICE LAWS TO THE CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF DEDHAM.

Be it enacted, etc., as follows:

Town of
Dedham, civil
service laws
extended to
chief of fire
department.

SECTION 1. The provisions of chapter thirty-one of the General Laws and the rules and regulations made thereunder relating to permanent members of fire departments of towns shall hereafter apply to the chief of the fire department in the town of Dedham.

To be sub-
mitted to
voters, etc.

SECTION 2. This act shall be submitted to the voters of said town at the annual meeting in the current year and shall take effect upon its acceptance by a majority of the voters voting thereon.

Time of taking
effect, etc.

SECTION 3. For the purpose of authorizing its submission to the voters of said town, this act shall take effect upon its passage.

Approved February 13, 1922.

Chap. 39 AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO MAKE A WATER MAIN EXTENSION AND PROVIDING FOR THE PAYMENT THEREOF.

Be it enacted, etc., as follows:

Town of Fal-
mouth may
make a water
main extension
and provide for
payment
thereof.

SECTION 1. For the purpose of paying the expense of making a further extension of its water mains in East Falmouth and through the village of Davisville, the town of Falmouth may borrow such sums as may be necessary not exceeding twenty thousand dollars, and may issue notes or bonds therefor. Each authorized issue shall constitute a separate loan, and such loans shall be payable within fifteen years from their dates. Indebtedness incurred under this act shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1922.

AN ACT RELATIVE TO THE REPEAL OR MODIFICATION OF ORDINANCES OR BY-LAWS REGULATING THE CONSTRUCTION AND USE OF BUILDINGS IN CITIES AND TOWNS. *Chap. 40*

Be it enacted, etc., as follows:

Section thirty of chapter forty of the General Laws is hereby amended by striking out, in the seventh line, the words "the city council" and inserting in place thereof the words:— a city council of less than ten members or by a three fourths vote of all the members of a city council of ten or more members, — so as to read as follows:— *Section 30.* No ordinance or by-law enacted under section twenty-five shall be repealed or modified except after reasonable notice of the proposed repeal or modification, and an opportunity to the objectors to be heard thereon. If in a city any owner of real estate which would be affected by the proposed repeal or modification objects thereto, it shall not be repealed or modified except by a unanimous vote of all the members of a city council of less than ten members or by a three fourths vote of all the members of a city council of ten or more members; and in no case shall such an ordinance or by-law be repealed or modified except by a two thirds vote of all the members of the city council, or by a two thirds vote of a town meeting. *Approved February 14, 1922.*

G. L. 40, § 30, amended.

Repeal or modification of ordinances or by-laws limiting particular classes of buildings to specified districts or zones in cities and towns.

AN ACT RELATIVE TO SITTINGS OF THE PROBATE COURT IN HAMPSHIRE COUNTY. *Chap. 41*

Be it enacted, etc., as follows:

Section sixty-two of chapter two hundred and fifteen of the General Laws is hereby amended by striking out the paragraph contained in lines thirty-seven to forty-two, inclusive, and inserting in place thereof the following:— Hampshire, at Northampton, the first Tuesday of each month and the third Tuesdays of February, April, May, October and December; at Amherst, the third Tuesdays of January, March and November; and at Ware, the third Tuesdays of June and September.

G. L. 215, § 62, amended.

Sittings of probate court in Hampshire county.

Approved February 14, 1922.

Chap. 42 AN ACT RELATIVE TO THE ISSUE OF LICENSES AND PERMITS
IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

City of Fall
River, issue of
licenses and
permits.

SECTION 1. The city of Fall River may by ordinance provide that all or any of the powers to grant or issue licenses and permits vested by law in the mayor and aldermen of said city, except such as may be granted under chapter one hundred and thirty-eight of the General Laws, shall be exercised by the city clerk, assistant city clerk, head of a municipal department, or by any municipal board, commission or commissioners, and may regulate the manner of granting or issuing the same. This act shall not be construed to prevent said city at any time from revoking, in like manner, in whole or in part, any authority conferred hereunder.

Act, how
construed.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved February 14, 1922.

Chap. 43 AN ACT AUTHORIZING THE TURNER'S FALLS FIRE DISTRICT
TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Turner's Falls
Fire District
may make an
additional
water loan.

SECTION 1. For the purpose of extending its water mains and improving its water distribution facilities, the Turner's Falls Fire District may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred and ten thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Turner's Falls Fire District Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty-five years from their dates. Any indebtedness incurred under this act shall be outside the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Turner's Falls
Fire District
Water Loan,
Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1922.

AN ACT AUTHORIZING THE TOWN OF BELCHERTOWN TO *Chap. 44*
INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for school buildings, and for constructing and originally equipping and furnishing the same, the town of Belchertown may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, forty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Belchertown School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Belchertown may borrow money for schoolhouse purposes.

Belchertown School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1922.

AN ACT RELATIVE TO APPROPRIATIONS BY THE TOWN OF *Chap. 45*
BROOKLINE FOR THE USE OF ITS TREE PLANTING COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter fifty-seven of the acts of eighteen hundred and eighty-five, as amended by section one of chapter one hundred and six of the acts of eighteen hundred and ninety-eight and by section one of chapter three hundred and fifteen of the Special Acts of nineteen hundred and sixteen, is hereby further amended by striking out, in the fourth line, the word "two" and inserting in place thereof the word: — three, — so as to read as follows: —

1885, 57, § 1, etc., amended.

Section 1. The town of Brookline may at an annual meeting, by a vote of two thirds of the legal voters present and voting thereon, appropriate a sum not exceeding three dollars for each of its ratable polls in the preceding year, to be expended by a committee of three to be chosen by ballot, in setting out and maintaining shade trees, shrubs or vines upon the public squares and highways of said town, or in premiums or in any other way which they may deem most effectual to encourage the planting of shade trees, shrubs or vines upon said public squares or highways by the owners of adjoining real estate, or upon said adjoining real estate, at a distance not exceeding twenty feet from said public squares or high-

Town of Brookline may make appropriations for use of its tree planting committee.

Committee to
serve without
compensation;
powers, duties,
etc.

Proviso.

ways, for the purpose of shading or ornamenting the same. Said committee of three shall serve without compensation, and shall have and may exercise all the powers and authority, and shall perform all the duties, which now are or may hereafter be conferred or imposed by law upon tree wardens or park commissioners of towns, in relation to shade trees in the public ways in said town: *provided, however*, that the powers and duties of said committee shall not extend to any trees, shrubs or vines within the limits of any public parks or public grounds of said town.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1922.

Chap. 46 AN ACT ENABLING THE TOWN OF FRAMINGHAM TO USE CERTAIN FUNDS FOR THE ACQUIREMENT OF LAND FOR SCHOOL PURPOSES AND THE ERECTION AND EQUIPMENT OF SCHOOLHOUSES THEREON.

Be it enacted, etc., as follows:

Town of Fram-
ingham may
use certain
funds for school
purposes.

SECTION 1. The town of Framingham may use for and apply to the acquirement of land for school purposes and the erection, equipment and furnishing of one or more school-houses thereon certain funds now in the treasury of said town, namely, the sum of six thousand eight hundred sixty-nine dollars and eighty-six cents, being an unexpended balance of the proceeds of bonds issued by said town under chapter six hundred and twenty-seven of the acts of nineteen hundred and thirteen, and also the further sum of five thousand five hundred fifteen dollars and ninety-two cents, being an unexpended balance of the proceeds of bonds issued in the year nineteen hundred and thirteen by said town for the acquirement of playgrounds therein.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1922.

Chap. 47 AN ACT AUTHORIZING THE CITIES OF ATTLEBORO AND TAUNTON AND THE TOWNS OF MANSFIELD AND NORTON TO BORROW MONEY TO PURCHASE NOTES OF THE NORTON, TAUNTON AND ATTLEBORO STREET RAILWAY COMPANY.

Be it enacted, etc., as follows:

Norton, Taun-
ton and Attle-
boro Street
Railway Com-
pany may issue
notes which
may be pur-

SECTION 1. The Norton, Taunton and Attleboro Street Railway Company, herein designated as the company, may issue notes to an amount not exceeding twenty-eight thousand dollars, which may be subscribed for and purchased in

equal amounts by the cities of Attleboro and Taunton and the towns of Mansfield and Norton; and the proceeds of such notes shall be applied by the company to the payment of its indebtedness other than bonds outstanding.

chased by cities of Attleboro and Taunton and towns of Mansfield and Norton.

SECTION 2. For the purpose of subscribing for and purchasing notes of the company, the cities of Attleboro and Taunton and the towns of Mansfield and Norton may each borrow a sum not exceeding seven thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Street Railway Loan, Act of 1922. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than seven years from their dates. Indebtedness incurred under this section shall be in excess of the statutory limit prescribed for the aforesaid cities and towns, and, except as herein provided, shall be subject to chapter forty-four of the General Laws.

Said cities and towns may borrow money to purchase notes, etc.

Street Railway Loan, Act of 1922.

SECTION 3. Payments made by the company to the said cities and towns on account of principal or interest on its notes, purchased as authorized by section one, shall be applied to the payment of principal or interest on bonds or notes issued under section two, and contributions from other sources for the payment of the principal or interest on such bonds or notes shall be applied to no other purposes.

Payments to said cities and towns by said company on account of notes, how applied.

SECTION 4. This act shall take effect upon its passage.

Approved February 15, 1922.

AN ACT AUTHORIZING THE TOWN OF BURLINGTON TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Chap. 48

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing an addition to the schoolhouse at the corner of Center street and Sears street in the town of Burlington, thereby increasing the floor space, of originally equipping and furnishing the same, and of installing a heating system for said building, the said town may, from time to time, borrow such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Burlington School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Burlington may borrow money for school purposes.

Burlington School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1922.

Chap. 49 AN ACT RELATIVE TO THE ANNUAL RETURNS OF LISTS OF SHAREHOLDERS OF CORPORATIONS.

Be it enacted, etc., as follows:

G. L. 63, § 53,
amended.

Annual returns
of lists of
shareholders of
certain corpo-
rations.

Section fifty-three of chapter sixty-three of the General Laws is hereby amended by inserting after the word "residences" in the twenty-seventh line the words: —, by city or town and state, — so that so much of clause Fourth as is contained in lines twenty-six to thirty-two, inclusive, will read as follows:— *Fourth.* A complete list of the shareholders of the corporation, their residences, by city or town and state, the amount and class of stock, if more than one, belonging to each. If stock is held as collateral security, the list shall state the name and residence of the pledgor and of the pledgee. In lieu of such list a railroad, street railway, electric railroad, gas, electric, water, telephone or telegraph corporation may file a statement of the number of its shares held by non-residents.

Approved February 15, 1922.

Chap. 50 AN ACT RELATIVE TO THE PROPRIETORS OF THE NORTH MEETING HOUSE IN SALEM.

Be it enacted, etc., as follows:

Proprietors of
the North
Meeting House
in Salem may
make certain
by-laws.

SECTION 1. The Proprietors of the North Meeting House in Salem, a religious society duly incorporated by an act passed February fifth, in the year eighteen hundred and two, may, from time to time, notwithstanding anything contained in its charter, make by-laws providing for the enlargement of its membership so as to include any adult person in sympathy with the purposes and methods of said society, who shall agree to support it morally and financially in such a manner as may be determined by said society and as set forth in its by-laws, and who shall make to the clerk of said society a statement of such facts as may be required by its by-laws, requesting that he be admitted to membership therein. Persons so admitted under this act, while members of said corporation, shall have the same rights and powers and be subject to the same liabilities as the present members of said corporation; and said corporation may also from time to time make such by-laws concerning other matters as it could make if organized under general laws relating to like corporations.

Rights, powers,
etc., of
members.

SECTION 2. Section one of said act of incorporation is hereby amended by striking out at the end thereof the words, "Provided that the annual income of the whole estate of said Corporation, beside the meeting House, shall not, any time, exceed the value of three thousand dollars."

Proviso in act of incorporation struck out.

SECTION 3. This act shall take effect upon its acceptance by the corporation in accordance with its charter.

To be submitted to corporation, etc.

Approved February 15, 1922.

AN ACT AUTHORIZING THE CITIES OF REVERE AND MALDEN TO CONTRACT WITH EACH OTHER RELATIVE TO SEWAGE DISPOSAL AND WATER SUPPLY. Chap. 51

Be it enacted, etc., as follows:

The cities of Revere and Malden are hereby authorized to contract with each other, upon such terms as may be mutually agreed upon, for the disposal of the sewage of the respective cities and for the supplying of water to their inhabitants; provided, that every such contract shall be approved by the department of public health.

Cities of Revere and Malden may contract with each other relative to sewage disposal and water supply. Proviso.

Approved February 15, 1922.

AN ACT RELATIVE TO FALSE IMPERSONATION OF A PROBATION OFFICER. Chap. 52

Be it enacted, etc., as follows:

Section thirty-three of chapter two hundred and sixty-eight of the General Laws is hereby amended by inserting after the word "officer" in the third line the words: —, probation officer, — so as to read as follows: — *Section 33.* Whoever falsely assumes or pretends to be a justice of the peace, special commissioner, sheriff, deputy sheriff, medical examiner, associate medical examiner, constable, police officer, probation officer, or watchman, and acts as such or requires a person to aid or assist him in a matter pertaining to the duty of such officer, shall be punished by a fine of not more than four hundred dollars or by imprisonment for not more than one year.

G. L. 268, § 33, amended.

Penalty for false impersonation of a probation officer, etc.

Approved February 15, 1922.

AN ACT RELATIVE TO RESCRIPTS FILED IN THE PROBATE COURT. Chap. 53

Be it enacted, etc., as follows:

Section twenty of chapter two hundred and twenty-one of the General Laws is hereby amended by inserting after the

G. L. 221, § 20, amended.

Notice of
rescripts filed in
certain courts.

word "court", the second time it occurs in the second line, the words: — , a probate court, — and also by inserting after the word "clerk" in the third line the word: — , register, — so as to read as follows: — *Section 20.* When a rescript is filed in a case or proceeding in the supreme judicial court, the superior court, a probate court, the land court, or the municipal court of the city of Boston, the clerk, register or recorder of such court shall forthwith give notice thereof to an attorney of record of each party, and transmit a copy of such rescript to the reporter of decisions.

Approved February 15, 1922.

Chap. 54 AN ACT RELATIVE TO THE REIMBURSEMENT OF CITIES AND TOWNS FOR LOSS OF TAXES, AND TO THE DISTRIBUTION OF CERTAIN TAXES, BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 58, § 17,
amended.

SECTION 1. Section seventeen of chapter fifty-eight of the General Laws is hereby amended by striking out, in the second line, the word "fifteenth" and inserting in place thereof the word: — twentieth, — so as to read as follows: — *Section 17.* The treasurer in every year, not later than November twentieth, shall reimburse each town in which the commonwealth owns land for the purposes named in section thirteen an amount in lieu of taxes upon the value of such land as reported to him by the commissioner under the preceding section, determined by multiplying each thousand dollars of valuation or fractional part thereof by the rate provided for under section fifty-eight of chapter sixty-three.

Reimburse-
ment of cities
and towns by
commonwealth
for loss of cer-
tain taxes.

G. L. 58, § 18,
amended.

SECTION 2. Section eighteen of said chapter fifty-eight is hereby amended by striking out, in the third line, the word "fifteenth", and inserting in place thereof the word: — twentieth, — so as to read as follows: — *Section 18.* From the taxes collected by the commonwealth on incomes under chapter sixty-two, the state treasurer shall annually on or before November twentieth distribute to each city, town and district the percentages hereinafter specified of an amount obtained by subtracting, from the average amount of the tax levied upon personal property in such city, town or district in the years nineteen hundred and fifteen and nineteen hundred and sixteen, the average amount, computed by the commissioner, that would be produced by a tax upon the personal property actually assessed in each city, town or dis-

Distribution
of income taxes
to cities, towns
and districts.

strict for the years nineteen hundred and seventeen and nineteen hundred and eighteen at an average of the same rates of taxation as prevailed therein in the years nineteen hundred and fifteen and nineteen hundred and sixteen, to wit: seventy per cent for nineteen hundred and twenty-one, sixty per cent for nineteen hundred and twenty-two, fifty per cent for nineteen hundred and twenty-three, forty per cent for nineteen hundred and twenty-four, thirty per cent for nineteen hundred and twenty-five, twenty per cent for nineteen hundred and twenty-six, ten per cent for nineteen hundred and twenty-seven.

The amount so collected in any of said years in excess of the sum necessary to make said payments shall be distributed in proportion to the amount of the state tax imposed upon each town in that year, after deducting a sum sufficient to reimburse the commonwealth for the expenses incurred in the collection and distribution of said tax and for abated taxes repaid under said chapter during said year, which shall be retained by the commonwealth, and a sufficient sum to be distributed for school purposes under Part I of chapter seventy.

Distribution
of excess, etc.

In nineteen hundred and twenty-eight and thereafter all the taxes so collected shall, after making said deductions, be distributed and paid to the several towns in proportion to the amount of the state tax imposed upon each of them in each year.

Distribution
in 1928 and
thereafter.

Approved February 15, 1922.

AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO PAY A SUM OF MONEY TO THE WIDOW OF LOUIS N. GOODHUE. Chap. 55

Be it enacted, etc., as follows:

SECTION 1. The town of Braintree may pay to Maude Goodhue, widow of Louis N. Goodhue, who was killed by a fire truck operated by a member of the fire department of said town, a sum not exceeding four thousand dollars as compensation for the death of her husband.

Town of Braintree may pay sum of money to widow of Louis N. Goodhue.

SECTION 2. This act shall take effect upon its acceptance by vote of said town; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to town. Proviso.

Approved February 15, 1922.

Chap. 56 AN ACT CHANGING THE NAME OF THE EAST ARMORY IN THE CITY OF BOSTON TO ONE HUNDRED AND FIRST INFANTRY ARMORY.

Be it enacted, etc., as follows:

Name of East Armory in Boston changed to One Hundred and First Infantry Armory.

The East Armory located on East Newton street in the city of Boston shall hereafter be known as the One Hundred and First Infantry Armory, in honor of the veterans of the one hundred and first infantry who died during the world war; and the change of name herein authorized shall be effected without expense to the commonwealth.

Approved February 15, 1922.

Chap. 57 AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE OFFICE OF SENATOR IN CONGRESS.

Be it enacted, etc., as follows:

G. L. 54, § 139, amended.

Filling of vacancies in office of senator in congress.

Proviso.

Temporary appointment by governor.

Chapter fifty-four of the General Laws is hereby amended by striking out section one hundred and thirty-nine and inserting in place thereof the following: — *Section 139.* Upon failure to choose a senator in congress or upon a vacancy in said office, the vacancy shall be filled for the unexpired term at the following biennial state election provided said vacancy occurs not less than sixty days prior to the date of the primaries for nominating candidates to be voted for at such election, otherwise at the biennial state election next following. Pending such election the governor shall make a temporary appointment to fill the vacancy, and the person so appointed shall serve until the election and qualification of the person duly elected to fill such vacancy.

Approved February 15, 1922.

Chap. 58 AN ACT DISSOLVING THE CORPORATION KNOWN AS THE EAST BOSTON WATERFRONT FREIGHT RAILWAY COMPANY.

Be it enacted, etc., as follows:

East Boston Waterfront Freight Railway Company, dissolved.

SECTION 1. The East Boston Waterfront Freight Railway Company, incorporated by chapter one hundred and eighty-six of the Special Acts of nineteen hundred and nineteen, is hereby dissolved, subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws.

SECTION 2. The state treasurer is hereby authorized and directed to cancel the bond filed by said corporation in accordance with section nine of said chapter one hundred and eighty-six.

State treasurer to cancel bond, etc.

SECTION 3. Nothing in this act shall be construed to affect any suit pending by or against said corporation, or any suit now pending or hereafter brought for any liability now existing against the subscribers to the capital stock or the officers of said corporation, or to make valid any defect in the organization of said corporation.

Pending suits not affected, etc.

SECTION 4. Suits upon choses in action arising out of contracts sold or assigned by said corporation may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defense of which he might have availed himself in a suit upon the claim by said corporation, had it not been dissolved by this act.

Proceedings in suits upon choses in action, how brought, etc.

Approved February 15, 1922.

AN ACT RELATIVE TO THE ISSUE OF CITATIONS ON PROBATE ACCOUNTS. *Chap. 59*

Be it enacted, etc., as follows:

Chapter two hundred and six of the General Laws is hereby amended by inserting after section twenty-three the following new section:— *Section 23A.* When an account has been filed in the probate court and the accountant fails to take out a citation, give notice as therein ordered and make return of service to the court, the court may, upon application of any person interested, order him to do so; or the court may, in its discretion, issue such citation to any party in interest who may request it.

G. L. 206, new section after § 23.

Issue of citations on probate accounts.

Approved February 15, 1922.

AN ACT REGULATING THE COLLECTION AND TRANSPORTATION OF GARBAGE, REFUSE AND OTHER OFFENSIVE MATTER IN THE CITY OF WORCESTER. *Chap. 60*

Be it enacted, etc., as follows:

SECTION 1. No person shall collect or transport garbage, offal, butchers' waste, soap grease, rough tallow or slaughter-house refuse or other offensive matter through the streets in the city of Worcester unless licensed therefor by the board

City of Worcester may license the collection and transportation of garbage, etc.

of health, and in such case only to the extent so licensed. Such licenses may be revoked at the pleasure of said board. A fee, not exceeding three dollars, may be charged for each license. Violation of any provision of this act shall be punished by a fine of not more than fifty dollars.

Fee.

Penalty.

To be submitted to city council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Worcester, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved February 15, 1922.

Chap. 61 AN ACT RELATIVE TO SANITARY ARRANGEMENTS IN TENEMENT HOUSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1907, 550, § 69,
amended.

City of Boston,
sanitary ar-
rangements in
tenement
houses.

Section sixty-nine of chapter five hundred and fifty of the acts of nineteen hundred and seven is hereby amended by striking out all after the word "apartment" in the third line, down to and including the word "rooms" in the sixth line, and by striking out, in the ninth line, the word "four" and inserting in place thereof the word: — nine, — so as to read as follows: — *Section 69.* In every tenement house hereafter erected there shall be a separate water-closet in a separate compartment within each apartment. Every such water-closet shall be placed in a compartment completely separated from every other water-closet, and such compartment shall be not less than two feet and nine inches wide, and shall be enclosed with plastered partitions, or some equally substantial material, which shall extend to the ceiling. Such compartment shall have a window, opening directly, or through a straight horizontal shaft of the same dimensions as the window and not more than four feet long, upon a street, a railroad right of way, cemetery or public park or a yard or alley or open passageway not less than four feet wide, or upon a vent court or upon a covered passageway not more than twenty feet long and at least twenty feet wide, and twenty feet high. Every such window shall be at least one foot by three feet between stop beads; and the whole window shall be made so as to open readily. When, however, such water-closet compartment is located on the top floor and is lighted and ventilated by a skylight over it, no window shall be necessary, provided that the roof of such skylight contains at least three square feet of glazed surface and is arranged so as to open readily. Nothing in this section in regard to the separation of water-closet compartments from

Proviso.

Provisions of
section, when
not applicable.

each other shall apply to a general toilet room containing several water-closets, hereafter placed in a tenement house, provided that such water-closets are supplemental to the water-closet accommodations required by law for the use of the tenants of the said house. Nothing in this section in regard to the ventilation of water-closet compartments shall apply to a water-closet hereafter placed in an existing tenement house, to replace a defective fixture in the same position and location. No water-closet shall be maintained in the cellar of any tenement house without a permit in writing from the board of health; and said board shall have power to make rules and regulations governing the maintenance of such closets. Every water-closet compartment in any tenement house shall be provided with proper means for lighting the same at night. If fixtures for gas or electricity are not provided in such compartment, then the door of such compartment shall be provided with translucent glass panels, or with a translucent glass transom, not less in area than four square feet. The floor of every such water-closet compartment shall be made waterproof with asphalt, tile, stone or some other waterproof material; and such waterproofing shall extend at least six inches above the floor on all sides of the compartment except at the door opening, so that the floor can be washed or flushed without leaking. No drip trays shall be permitted. No water-closet fixtures shall be inclosed with any woodwork. *Approved February 16, 1922.*

Proviso.

Permit from board of health.

Lighting at night, etc.

Waterproof floor, etc.

AN ACT AUTHORIZING THE TOWN OF SAUGUS TO PAY A PENSION TO JUSTIN E. MANSFIELD. *Chap. 62*

Be it enacted, etc., as follows:

SECTION 1. The town of Saugus may retire Justin E. Mansfield, for twenty-eight years janitor of its town hall, on a pension not exceeding seven hundred and thirty dollars a year, to be paid in equal weekly instalments so long as he shall live.

Town of Saugus may pension Justin E. Mansfield.

SECTION 2. This act shall be submitted to the voters of the town of Saugus for their acceptance at the next annual town meeting on the official ballot used for the election of town officers, in the form of the following question: — "Shall an act passed by the general court in the year nineteen hundred and twenty-two entitled 'An Act authorizing the town of Saugus to pay a pension to Justin E. Mansfield' be accepted?" If a majority of the voters voting thereon vote in the affirmative, then this act shall take effect.

To be submitted to voters, etc.

Time of taking
effect.

SECTION 3. For the purpose of authorizing its submission to the voters of said town, this act shall take effect upon its passage.
Approved February 23, 1922.

Chap. 63 AN ACT ESTABLISHING THE OFFICE OF SECOND ASSISTANT CLERK FOR THE DISTRICT COURT OF SOUTHERN ESSEX.

Be it enacted, etc., as follows:

G. L. 218, § 10,
etc., amended.

SECTION 1. Chapter two hundred and eighteen of the General Laws, as amended in section ten by chapter two hundred and eighty-seven of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section and inserting in place thereof the following:—

District courts,
assistant clerks,
appointment,
etc.

Section 10. The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. Any such assistant clerk may be a woman. Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the district court of western Hampden, and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more. Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the third district court of eastern Middlesex and the district court of southern Essex.

Second assist-
ant clerks,
appointment,
etc.

SECTION 2. This act shall take effect upon its passage.
Approved February 24, 1922.

Chap. 64 AN ACT AUTHORIZING THE TOWN OF OAK BLUFFS TO ERECT A TOWN HALL ON NIAN TIC PARK.

Be it enacted, etc., as follows:

Town of Oak
Bluffs may
erect a town
hall on
Niantic Park.

SECTION 1. The town of Oak Bluffs is hereby authorized to erect a town hall upon Niantic Park in said town.

SECTION 2. This act shall take effect upon its passage.
Approved February 25, 1922.

AN ACT AUTHORIZING THE TOWN OF NORTHBRIDGE TO *Chap. 65*
INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and constructing a junior high school building and of purchasing original equipment and furnishings for said building, the town of Northbridge may borrow a sum not exceeding seventy-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Northbridge School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Northbridge may borrow money for school purposes.

Northbridge School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1922.

AN ACT EXTENDING THE TIME DURING WHICH THE CITIES *Chap. 66*
OF LYNN, PEABODY, SALEM AND BEVERLY AND THE TOWN
OF DANVERS MAY TAKE WATER FROM THE IPSWICH RIVER
FOR EMERGENCY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and fifteen of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out, in the eleventh, twelfth and thirteenth lines, the words "nineteen hundred and nineteen, nineteen hundred and twenty and nineteen hundred and twenty-one" and inserting in place thereof the words: — nineteen hundred and twenty-two, nineteen hundred and twenty-three and nineteen hundred and twenty-four, — and also by striking out, in the fifteenth and sixteenth lines, the words "state department of" and inserting in place thereof the words: — department of public, — so as to read as follows: — *Section 1.* The cities of Lynn, Peabody, Salem and Beverly and the town of Danvers, authorized to take water from the Ipswich river or its tributaries during the months from December to May, inclusive, under the provisions of chapter five hundred and eight of the acts of nineteen hundred and one and chapters six hundred and ninety-eight, six hundred and ninety-nine and seven hundred of the acts of nineteen hundred and thirteen, are hereby further authorized,

1919, 115 (S),
§ 1, amended.

Lynn, Peabody, Salem, Beverly and Danvers further authorized to take water from Ipswich river in case of emergency.

in case of emergency, to take water from said river or its tributaries during the months from June to November, inclusive, in the years nineteen hundred and twenty-two, nineteen hundred and twenty-three and nineteen hundred and twenty-four, or any of said years, in quantities not exceeding those which may be taken from December to May, inclusive, as set forth in said acts, whenever, in the opinion of the department of public health, the taking of water during the months aforesaid in the years mentioned, or any of them, is necessary to provide an adequate water supply for the cities and town herein mentioned, subject otherwise to the remaining provisions of said acts.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1922.

Chap. 67 AN ACT RELATIVE TO THE BROOKLINE POLICE MUTUAL AID ASSOCIATION.

Be it enacted, etc., as follows:

Brookline Police Mutual Aid Association may pay a sum of money to any member upon death of his wife.

SECTION 1. The Brookline Police Mutual Aid Association, a corporation duly established by law, is hereby authorized, acting by its board of directors, to pay or cause to be paid from its treasury to any member in good standing upon the death of his wife, the sum of one hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1922.

Chap. 68 AN ACT ENLARGING THE OBJECTS OF THE ANDOVER VILLAGE IMPROVEMENT SOCIETY.

Be it enacted, etc., as follows:

1915, 139 (S),
§ 2, amended.

SECTION 1. Section two of chapter one hundred and thirty-nine of the Special Acts of nineteen hundred and fifteen is hereby amended by inserting after the word "grounds", in the eighth line, the words: —, and otherwise to improve and adorn said town and preserve its natural beauties, — so as to read as follows: — *Section 2.* The objects of said new corporation shall be to maintain Indian Ridge as a public park or forest reservation in the town of Andover; to acquire other tracts of land for public pleasure grounds or forest reservations; to improve and ornament the streets and public grounds of said town by planting and cultivating trees, cleaning and repairing sidewalks, and doing such other acts as will tend to beautify and adorn said streets and grounds, and otherwise to improve and adorn said town and preserve

The Andover Village Improvement Society, objects enlarged.

its natural beauties, and in general to carry out the objects for which the Indian Ridge Association and the Andover Village Improvement Society were incorporated.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1922.

AN ACT RELATIVE TO NOTICES OF HEARINGS BEFORE THE COMMISSIONER OF INSURANCE AND OF THE REVOCATION OR SUSPENSION OF LICENSES.

Chap. 69

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and seventy-four the following new section: — *Section 174A.* Notices of hearings required by section one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-seven, one hundred and seventy-two, one hundred and seventy-three or one hundred and seventy-four or of the revocation or suspension of any license issued under any of said sections shall be deemed sufficient when sent postpaid by registered mail to the last business or residence address of the licensee appearing on the records of the commissioner. The affidavit of the commissioner or of any person authorized by him to send such notice that such notice has been sent in accordance with this section shall be prima facie evidence that such notice was duly given.

G. L. 175, new section after § 174.

Notices of hearings before commissioner of insurance and of revocation or suspension of licenses.

Approved February 25, 1922.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE MOTHER OF ARTHUR B. MCGILL.

Chap. 70

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may pay to Louise McGill a sum not exceeding four thousand dollars, in equal weekly payments not exceeding fifteen dollars each, as compensation for the death of her son, Arthur B. McGill, who was killed by parties unknown during a street riot on the night of September tenth, nineteen hundred and nineteen, in consequence of the police strike in said city.

City of Boston may pay sum of money to mother of Arthur B. McGill.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 25, 1922.

Chap. 71 AN ACT AUTHORIZING THE AMERICAN BAPTIST FOREIGN MISSION SOCIETY TO ACQUIRE AND HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

1910, 99, § 2,
amended.

American Baptist Foreign Mission Society may take and hold real and personal property.

Section two of chapter ninety-nine of the acts of nineteen hundred and ten is hereby amended by striking out, in the fifth line, the word "three" and inserting in place thereof the word: — seven, — and by striking out, in the seventh line, the word "five" and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 2.* The American Baptist Foreign Mission Society may, for the purposes of its incorporation, take and hold in fee simple or otherwise, lands, tenements or hereditaments by gift, grant, purchase or devise not exceeding in value seven million dollars, and may also take and hold by gift, grant, donation or bequest, personal estate to an amount not exceeding ten million dollars.

Approved February 25, 1922.

Chap. 72 AN ACT PROVIDING FOR CHANGING THE NAME OF THE BARNSTABLE COUNTY INFIRMARY.

Be it enacted, etc., as follows:

1915, 153 (G),
§ 4, etc.,
amended.

Provision for changing name of Barnstable county infirmary.

Section four of chapter one hundred and fifty-three of the General Acts of nineteen hundred and fifteen, as amended by section two of chapter three hundred and seventy-nine of the acts of nineteen hundred and twenty, is hereby further amended by adding at the end thereof the following: — Said trustees shall from time to time determine the name by which said infirmary shall be known.

Approved February 25, 1922.

Chap. 73 AN ACT AUTHORIZING THE TRUSTEES OF THE SCOTTISH RITE OF FREEMASONRY TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

1891, 67, § 2,
etc., amended.

Section two of chapter sixty-seven of the acts of eighteen hundred and ninety-one, as amended by chapter one hundred and fifty-six of the acts of nineteen hundred and seven, is hereby further amended by striking out, in the third and fourth lines, the words "one million five hundred thousand" and inserting in place thereof the words: — five million, —

so as to read as follows: — *Section 2.* Said trustees may receive, manage and convey such real and personal estate, not exceeding in all five million dollars, as may be deposited with them by or for the supreme council of the ancient and accepted Scottish rite for the northern jurisdiction of the United States, to such uses as said council may appoint, and shall report their doings to such supreme council, and submit their accounts and records to the inspection of said council. They may also receive and execute the trust of gifts and devises made to them for specific charitable objects of relief of aged, sick or decayed members of any of the associations or degrees of that rite depending on said supreme council, or for the relief of poor widows and orphans of members of any degree of said rite, whether said trusts are to be performed and executed in this or any other state of the United States where said rite is practised. *Approved February 25, 1922.*

Trustees of the Supreme Council of the Ancient and Accepted Scottish Rite of Freemasonry may hold additional real and personal property.

AN ACT EXTENDING THE TIME FOR ESTABLISHING THE TEWKSBURY FIRE AND WATER DISTRICT. *Chap. 74*

Be it enacted, etc., as follows:

Section thirteen of chapter two hundred and three of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out, in the tenth line, the word "three" and inserting in place thereof the word: — eight, — so as to read as follows: — *Section 13.* This act shall take effect upon its acceptance by a majority vote of the voters of said district present and voting thereon by ballot at a district meeting called in accordance with the provisions of section eight, within three years after the passage of this act. The question of its acceptance may be voted on at as many meetings as may be called for the purpose: *provided, however,* that not more than three such meetings shall be held in any one year. This act shall become void unless the district shall begin to distribute water to consumers within eight years after the acceptance of the act as aforesaid.

1919, 203 (S), § 13, amended.

Tewksbury Fire and Water District, time for establishment extended.

Proviso.

Approved February 25, 1922.

AN ACT RELATIVE TO THE CONTESTABILITY OF LIFE INSURANCE POLICIES. *Chap. 75*

Be it enacted, etc., as follows:

Section one hundred and thirty-two of chapter one hundred and seventy-five of the General Laws is hereby amended

G. L. 175, § 132, amended.

Contestability
of life insurance
policies.

by striking out the provision numbered 2 and inserting in place thereof the following: — 2. A provision that the policy shall be incontestable after it has been in force during the lifetime of the insured for a period of two years from its date of issue except for non-payment of premiums or violation of the conditions of the policy relating to military or naval service in time of war.

Approved February 25, 1922.

Chap. 76 AN ACT DISPENSING WITH THE FILING OF CERTAIN POLICY FORMS WITH THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

G. L. 175, § 53,
repealed.

Section fifty-three of chapter one hundred and seventy-five of the General Laws is hereby repealed.

Approved February 25, 1922.

Chap. 77 AN ACT RELATIVE TO THE QUALIFICATION OF OFFICERS OF MUTUAL LIFE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

G. L. 175, § 94,
amended.

Qualification
of officers of
mutual life in-
surance com-
panies.

Section ninety-four of chapter one hundred and seventy-five of the General Laws is hereby amended by adding at the end thereof the following new paragraph: — The provisions of section sixty shall apply to the officers of every such company.

Approved February 25, 1922.

Chap. 78 AN ACT RELATIVE TO THE EPISCOPAL PARISH IN MARBLEHEAD.

Be it enacted, etc., as follows:

Episcopal Par-
ish in Marble-
head, certain
persons to have
powers granted
to proprietors
of appropriated
pews, etc.

SECTION 1. All baptized persons of the age of twenty-one years or over who have signed the constitution and by-laws of the Episcopal Parish in Marblehead, and who have aided in maintaining public worship therein for a period of twelve months by regular attendance on such public worship and by pecuniary aid therefor, shall have all the powers granted to the proprietors of the appropriated pews by chapter twenty-nine of the acts of seventeen hundred and ninety-nine, incorporating said parish, and granted to the communicants of said parish by chapter one hundred and forty-four of the acts of eighteen hundred and eighty-four, and shall be subject to all the liabilities imposed upon said proprietors and said communicants by said acts.

SECTION 2. The annual meeting of said parish shall be held at the time and place provided in the by-laws. Annual meeting of parish.

SECTION 3. This act shall take effect upon its acceptance by the corporation in accordance with its charter. Acceptance by the corporation.

Approved February 25, 1922.

AN ACT RELATIVE TO THE POLICIES AND TO THE DISTRIBUTION OF NET PROFITS OF SAVINGS AND INSURANCE BANKS. *Chap. 79*

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter one hundred and seventy-eight of the General Laws is hereby amended by striking out, in the sixth line, the words "its option" and inserting in place thereof the words: — the option of the insured, — so as to read as follows: — *Section 11.* No policy of life or endowment insurance or annuity contract issued by any savings and insurance bank shall become forfeit or void for non-payment of premium after six full months' premiums have been paid thereon; and in case of default in the payment of any subsequent premium, then, without any further stipulation or act, such policy shall be binding upon the bank at the option of the insured, either (a) for the cash surrender value or (b) for the amount of paid-up insurance which the then net value of the policy and all dividend additions thereon, less any indebtedness to the bank on account of said policy, and less a surrender charge of not more than one per cent of the face value of the policy, will purchase as a net single premium for life or endowment insurance, maturing or terminating at the time and in the manner provided for in the original policy contract, or (c) for the amount of paid-up term insurance which such net value would purchase.

G. L. 178, § 11, amended.

Policies, etc., of savings and insurance banks not to be forfeited after payment of six months' premiums, etc.
Effect of default in payment of subsequent premiums.

SECTION 2. Section twenty-one of said chapter one hundred and seventy-eight, as amended by chapter four hundred and sixteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out all after the word "made", in the twentieth line, and inserting in place thereof the following: — at the option of the policy holder in accordance with section one hundred and forty of chapter one hundred and seventy-five, — so as to read as follows: — *Section 21.* Each savings and insurance bank shall annually set apart as a surplus from the net profits, if any, which have been earned in its insurance department, an amount

G. L. 178, § 21, etc., amended.

Percentage of profits of insurance department of savings and insurance

banks to be set
apart as an
emergency
fund, etc.

Proviso.

Distribution of
balance of
profits.

not less than twenty nor more than seventy-five per cent thereof, until such fund equals ten per cent of its net insurance reserve, or the amount of its special insurance guaranty fund, whichever is the greater. Thereafter each such bank may add in any year to its said surplus fund not more than fifteen per cent of the net profits, if any, which have been earned in its insurance department in such year; provided, that no such bank shall so add to its said surplus fund if it equals ten per cent of the net insurance reserve of said bank. Such surplus fund shall thereafter be maintained and held or used so far as necessary to meet losses in its insurance department whether from unexpectedly great mortality, depreciation in its securities, or otherwise, and for the maintenance of a stable dividend scale. The balance of the net profits of each year shall annually be distributed equitably among the holders of its policies and annuity contracts, such distribution to be made at the option of the policy holder in accordance with section one hundred and forty of chapter one hundred and seventy-five.

Approved February 25, 1922.

Chap. 80 AN ACT RELATIVE TO THE ISSUING OF PERMITS FOR THE TAKING OF SHELLFISH BY UNNATURALIZED FOREIGN BORN PERSONS.

Be it enacted, etc., as follows:

G. L. 130, new
section after
§ 84.

Permits for
taking of shell-
fish by un-
naturalized
foreign born
persons.

Chapter one hundred and thirty of the General Laws is hereby amended by inserting after section eighty-four the following new section:— *Section 84A.* No permit for the taking of shellfish for commercial purposes shall be issued under the preceding section to an unnaturalized foreign born person unless he has been a resident of the county, wherein the city or town to the officials of which he applies for a permit is situated, for at least five years next preceding the date of his application therefor, or has taken shellfish as an article of commerce for said period. This section shall not prohibit any such person from taking for his own family use the shellfish allowed for such use to all inhabitants of the commonwealth under the preceding section.

Approved February 25, 1922.

AN ACT RELATIVE TO THE ASSETS OF CERTAIN INSURANCE COMPANIES. *Chap. 81*

Be it enacted, etc., as follows:

Section one hundred and fifty-six of chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after the word "trustees" in the tenth line, the words:—, and all assets held by or for such company within the United States for the benefit of its policy holders and creditors in the United States,— so as to read as follows:—*Section 156.* Any such company may appoint trustees, who are citizens or corporations of the United States and approved by the commissioner, to hold funds in trust for the benefit of its policy holders and creditors in the United States. Said trustees shall be named by the directors of the company, and a certified copy of the record of the appointment of such trustees and a duplicate original of the deed of trust on a form approved by him shall be filed with the commissioner, who may examine such trustees and the assets in trust and all books and papers relative thereto in the same manner as he may examine the officers, agents, assets and affairs of companies. The funds so held by such trustees, and all assets held by or for such company within the United States for the benefit of its policy holders and creditors in the United States, so far as the same are in securities, money or credits admissible as sound assets in the financial accounts of companies, shall, with its deposits made in accordance with the preceding section, constitute the assets of such company for the purpose of making its annual statements to the commissioner. Such company shall file with the annual statement required by section twenty-five a statement of the trustees executed as prescribed in the preceding section, in such form and detail as the commissioner requires, showing the funds held by them.

G. L. 175,
§ 156, amended.

Insurance companies of a foreign country may appoint trustees to hold certain funds for benefit of policy holders, etc., in United States.

Assets of said companies for purpose of making annual statements to commissioner of insurance, etc.

Trustees' statement to commissioner.

Approved February 25, 1922.

AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO APPROPRIATE MONEY FOR BAND CONCERTS. *Chap. 82*

Be it enacted, etc., as follows:

SECTION 1. The town of Greenfield may at any town meeting appropriate a sum of money, not exceeding fifteen hundred dollars in any year, to be expended for public band concerts or for music furnished for public celebrations.

Town of Greenfield may appropriate money for band concerts.

To be submitted to town, etc.

SECTION 2. This act shall take effect upon its acceptance by the town of Greenfield at a town meeting called for the purpose, but, for the purpose of such acceptance, shall take effect upon its passage.

Approved February 25, 1922.

Chap. 83 AN ACT RELATIVE TO THE ASSESSMENT OF POLL TAXES AND THE MAKING OF CERTAIN LISTS IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

City of Somerville, assessment of poll taxes and making of certain lists.

SECTION 1. In the making of lists under sections four to fourteen, inclusive, of chapter fifty-one of the General Laws, the board of assessors of Somerville may, with the approval of the mayor, have the assistance of the police department in visiting buildings and residences and performing the duties of assistant assessors in securing the information required by said sections.

To be submitted to city council, etc.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, but for the purposes of such acceptance shall take effect upon its passage.

Approved February 25, 1922.

Chap. 84 AN ACT RELATIVE TO PAYMENTS BY TOWN TREASURERS ON WARRANTS APPROVED BY THE SELECTMEN.

Be it enacted, etc., as follows:

G. L. 41, § 56, amended.

Section fifty-six of chapter forty-one of the General Laws is hereby amended by striking out all after the word "same" in the eighth line and inserting in the place thereof the words: —, and the treasurer shall pay no money from the treasury except upon such warrant approved by the selectmen, — so as to read as follows: — *Section 56.* The selectmen and all boards, committees, heads of departments and officers authorized to expend money shall approve and transmit to the town accountant as often as once each month all bills, drafts and orders chargeable to the respective appropriations of which they have the expenditure. The town accountant shall examine all such bills, drafts or orders, and, if found correct and approved as herein provided, shall draw a warrant upon the treasurer for the payment of the same, and the treasurer shall pay no money from the treasury except upon such warrant approved by the selectmen.

Approved February 25, 1922.

Warrants by town accountants for payment of bills, etc.

Town treasurers not to pay money except upon warrants, etc.

AN ACT REPEALING THE LAW RELATING TO THE TAKING OF *Chap. 85*
SALMON FROM LAKE QUINSIGAMOND.

Be it enacted, etc., as follows:

Chapter two hundred and eighteen of the General Acts of 1915, 218 (G),
nineteen hundred and fifteen, relative to the taking of salmon repealed.
from Lake Quinsigamond, is hereby repealed.

Approved February 25, 1922.

AN ACT RELATIVE TO THE CERTIFICATION OF APPROPRIA- *Chap. 86*
TION ORDERS BY CITY AND TOWN CLERKS.

Be it enacted, etc., as follows:

Chapter forty-one of the General Laws is hereby amended G. L. 41, new
by inserting after section fifteen the following new section: — section after
§ 15.

Section 15A. City and town clerks shall, as soon as an Certification of
order or vote appropriating money becomes effective, certify, appropriation
orders by city
and town
clerks.
in a city to the treasurer, assessors and auditor or similar
officer, and in a town to the town accountant, if any, other-
wise to the treasurer, each appropriation in detail, and the
provision made for meeting the same, if specified in the ap-
propriation order or vote. *Approved February 25, 1922.*

AN ACT AUTHORIZING THE CITY OF BEVERLY TO PAY A SUM *Chap. 87*
OF MONEY TO THE ESTATE OF PATRICK GALLAGHER FOR
TAXES ERRONEOUSLY ASSESSED AND COLLECTED.

Be it enacted, etc., as follows:

SECTION 1. The city of Beverly may pay to the estate of City of Beverly
Patrick Gallagher the sum of three hundred ninety-seven may reimburse
dollars and forty-one cents to reimburse said estate for taxes estate of Pat-
rick Gallagher
for taxes erro-
neously as-
sessed, etc.
erroneously assessed and collected, and for interest thereon.

SECTION 2. This act shall take effect upon its acceptance To be sub-
mitted to city
council, etc.
by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs Proviso.
prior to December thirty-first in the current year.

Approved February 25, 1922.

AN ACT AUTHORIZING THE REGISTRATION OF CERTAIN *Chap. 88*
PERSONS AS CHIROPODISTS.

Be it enacted, etc., as follows:

The board of registration in medicine is hereby authorized Board of regis-
tration in
medicine may
register certain
to register Lillian B. Valliere, Janet MacAdam, Elinor Cope-

persons as
chiroprodists
without exam-
ination, etc.

land and Rena Drake, or any of them, as chiroprodists, without examination, upon satisfactory proof that they had been engaged in the practice of chiropody in this commonwealth for a period of two years next prior to the passage of chapter fifteen of the General Acts of nineteen hundred and eighteen, and without proof of further compliance with chapter one hundred and twelve of the General Laws; and thereupon they shall have and enjoy the same rights and privileges as if registered as chiroprodists as provided by said chapter one hundred and twelve.

Approved February 25, 1922.

Chap. 89 AN ACT PROHIBITING, UNTIL THE YEAR NINETEEN HUNDRED AND TWENTY-FIVE, THE TAKING OF QUAIL IN THE COUNTIES OF DUKES, ESSEX, HAMPDEN, MIDDLESEX AND NANTUCKET.

Be it enacted, etc., as follows:

Taking of quail
in counties of
Dukes, Essex,
Hampden,
Middlesex and
Nantucket
prohibited until
year 1925.

It shall be unlawful, before the beginning of the open season for quail throughout the commonwealth in the year nineteen hundred and twenty-five, to hunt, pursue, take or kill a quail in the counties of Dukes, Essex, Hampden, Middlesex and Nantucket, or to have quail or any part thereof in possession taken in said counties, except quail propagated under the provisions of section eighty-two or eighty-three of chapter one hundred and thirty-one of the General Laws. Violation of any provision of this act shall be punished by a fine of twenty dollars for each bird or part thereof in respect to which the violation occurs.

Penalty.

Approved February 25, 1922.

Chap. 90 AN ACT RELATIVE TO THE PAYMENT OF BURIAL BENEFITS BY CERTAIN FRATERNAL BENEFIT SOCIETIES.

Be it enacted, etc., as follows:

G. L. 176, § 45,
amended.

Domestic fra-
ternal benefit
corporations
with limited
membership,
etc., payment
of burial
benefits, etc.

Section forty-five of chapter one hundred and seventy-six of the General Laws is hereby amended by inserting after the word "applicable", in the tenth line the word:—, twenty-two, — so as to read as follows:— *Section 45.* Domestic fraternal benefit corporations governed by direct vote of their members and limiting their membership as provided in section four and domestic fraternal benefit corporations limiting their membership to the permanent employees of cities or towns, the commonwealth or the federal government, and not paying death benefits, but paying annuities or gratuities contingent upon disability or long service, may con-

tinue to transact business in the commonwealth. Such corporations and like societies incorporated under this chapter shall be governed by sections four to eleven, inclusive, fourteen and twenty-one, so far as the same are applicable, twenty-two, twenty-nine, thirty, thirty-two, thirty-six to thirty-eight, inclusive, and forty-eight of this chapter and section five of chapter fifty-nine, and in addition by the following provisions: The officers of such limited corporations shall be elected by ballot by the members as often as once in two years. Proxies shall not be used in voting. No person under sixteen shall be admitted to membership. The recording officer of such a corporation shall file with the commissioner amendments to its by-laws, in English, within thirty days after their adoption. Such equitable assessments, either periodical or otherwise, shall be made upon the members as shall be necessary to carry out the purposes of the organization. Paid agents shall not be employed in soliciting or procuring members, except that corporations which limit their certificate holders to a particular fraternity may pay members for securing new members, and any corporation may pay local collectors. No corporation formed after January first, nineteen hundred and twelve, unless it confines its membership to that of a particular fraternity in any one county or to a lodge of some fraternity, shall contract to pay benefits to its members until it shall satisfy the commissioner that it has received at least five hundred bona fide applications for membership. With the written approval of the commissioner and the consent of each corporation expressed by vote at a duly called meeting, any corporation governed by this section may transfer its membership and funds to any authorized similar corporation.

Proxies not
to be used
in voting, etc.

Approved February 25, 1922.

AN ACT AUTHORIZING THE CITY OF BROCKTON TO REIMBURSE CERTAIN PERSONS FOR MONEY RECEIVED BY SAID CITY FOR SALES OF LAND TO WHICH ITS TITLE WAS DEFECTIVE.

Chap. 91

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton may expend a sum, not exceeding two thousand dollars, for the purpose of reimbursing Joseph Johnson, Harry I. Snow, Edith M. Blanchard, Albert C. Blanchard, Edward F. Leahy, Ernest Johnson, Albert F. Nelson, James H. Drohan, Horace A. Poole, Alva P. Poole, Axel Johnson and the executors or administrators

City of Brockton may reimburse certain persons for money received for sales of land to which its title was defective.

of Elmer E. Blood for money severally paid by the above-named persons to said city for certain parcels of land which were sold at tax sales or private sales and the title to which has been adjudged defective by the land court.

To be submitted to city council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved February 25, 1922.

Chap. 92 AN ACT AUTHORIZING A CONVEYANCE OF CEMETERY LAND BY THE CITY OF WOBURN.

Be it enacted, etc., as follows:

City of Woburn may sell and convey certain cemetery land.

SECTION 1. The city of Woburn may sell and convey a certain lot of land, about nineteen hundred and seventy square feet in area, situated on the southerly side of Montvale avenue in said city, and being a portion of land held by said city for cemetery purposes and no longer required therefor.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1922.

Chap. 93 AN ACT RELATIVE TO THE TIME WITHIN WHICH TRUSTEES SHALL FILE ANSWERS IN CIVIL CASES IN THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 246, § 10, amended.

Section ten of chapter two hundred and forty-six of the General Laws is hereby amended by inserting after the word "days" in the second line, the words: — , or in the municipal court of the city of Boston within two days, — and by striking out, in the third line, the article "a" and inserting in place thereof the words: — any other, — so as to read as follows: — *Section 10.* A person summoned as trustee in the supreme judicial or superior court shall appear and file his answer within ten days, or in the municipal court of the city of Boston within two days, or in any other district court within three days, after the return day of the writ, unless further time is allowed by the court. The answer shall disclose plainly, fully and particularly what goods, effects or credits, if any, of the defendant were in the hands or possession of the trustee when the writ was served upon him.

Approved February 27, 1922.

Answers of trustees, filing, etc., in supreme judicial or superior courts. In municipal court of city of Boston. In other district courts.

AN ACT ENLARGING THE CORPORATE POWERS OF THE *Chap. 94*
NORTHERN BAPTIST EDUCATION SOCIETY.

Be it enacted, etc., as follows:

The Northern Baptist Education Society, which was incorporated by chapter eighty-five of the acts of eighteen hundred and thirty, is hereby authorized, at its discretion, to use both principal and interest of donations, grants, devises, bequests, subscriptions, and contributions, hereafter received by it, where not otherwise directed by the giver, for the aid of worthy young men and women in acquiring an adequate education for efficient service in any of the recognized religious activities of the Christian church in the baptist denomination at home or abroad.

Northern Baptist Education Society, corporate powers enlarged.

Approved February 27, 1922.

AN ACT RELATIVE TO THE BOARD OF LICENSE COMMISSIONERS *Chap. 95*
IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Chapter eighty-three of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* There is hereby established in the city of Cambridge a board of license commissioners, to consist of the chiefs of the police and fire departments of the city and a third commissioner to be appointed by the mayor, subject to the provisions of the city charter, for a term of three years.

1919, 83 (S), § 1, amended.

Board of license commissioners in city of Cambridge, establishment, membership, etc.

The authority now vested by law in cities or towns, or in the city of Cambridge or any official thereof, to grant, suspend or revoke any of the licenses hereinafter mentioned, shall upon its organization be exercised in said city by said board exclusively, except that nothing herein contained shall affect the authority of the state fire marshal in respect to the performance of his duties pertaining to the metropolitan fire prevention district. The commissioner appointed by the mayor shall be chairman of the board and shall receive such compensation as the mayor and city council shall determine.

Powers defined.

Chairman, compensation, etc.

This act shall affect the following licenses only, namely: — To be innholders or common victuallers; to maintain lodging houses, public lodging houses, intelligence offices, coffee houses or tea houses, vehicles for the sale of food in a public

List of licenses affected by act.

List of licenses
affected by act.

way; to be collectors of, dealers in or keepers of shops for the purchase, sale or barter of junk, old metals or second hand articles; to engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof; to carry on the business of pawnbrokers; to sell, rent or lease firearms; to keep a billiard, pool or sippio table or a bowling alley for hire, gain or reward; to establish, keep open and maintain skating rinks, carousels, inclined railways, Ferris wheels and outdoor exhibitions of fire fighting; to establish, let, keep open and maintain a grove to be used for picnics or other lawful gatherings and amusements for hire, gain or reward; to retail dealers to keep open their place of business on the Lord's Day for the sale of ice cream, confectionery, soda water or fruit; to be hawkers and peddlers, or auctioneers; to use a building for the manufacture of fireworks or firecrackers; to use a building or other structure for the keeping, storage, manufacture or sale of articles named in section ten of chapter one hundred and forty-eight of the General Laws, except fireworks, firecrackers and torpedoes; said board shall have exclusive authority to grant licenses under the authority of section twenty-two of chapter forty of the General Laws, and under the authority of chapter one hundred and thirty-eight of the General Laws.

Approved February 27, 1922.

Chap. 96 AN ACT RELATIVE TO THE SALARY OF THE MEMBER OF THE COMMISSION ON WAYS AND DRAINAGE IN THE CITY OF LYNN WHO IS ELECTED BY AND FROM THE CITY COUNCIL.

Be it enacted, etc., as follows:

1917, 340 (S),
§ 19, amended.

SECTION 1. Section nineteen of chapter three hundred and forty of the Special Acts of nineteen hundred and seventeen is hereby amended by adding at the end thereof the following: — ; except that the member of the commission on ways and drainage who is elected by and from the city council, shall, in addition to the salary paid him as a member of the city council, receive the sum of five hundred dollars a year while he is a member of the said commission, — so as to read as follows: — *Section 19.* Neither the mayor nor any member of the city council shall, during the term for which he is elected, hold any other office or position the salary or compensation for which is payable from the city treasury; nor shall he act as counsel or attorney before the city council or any committee thereof, or before any board

City of Lynn,
certain officials
not to hold
other salaried
offices, etc.

or department of the city; except that the member of the commission on ways and drainage who is elected by and from the city council, shall, in addition to the salary paid him as a member of the city council, receive the sum of five hundred dollars a year while he is a member of the said commission.

Exception as to certain member of commission on ways and drainage.

SECTION 2. This act shall be submitted to the voters of the city of Lynn at the state election in the current year, and if accepted by a majority of the qualified voters voting thereon shall thereupon take effect; otherwise it shall not take effect.

To be submitted to voters, etc.

Approved February 27, 1922.

AN ACT AUTHORIZING THE CITY OF LYNN TO SELL CERTAIN
UNUSED CEMETERY LAND.

Chap. 97

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn, by its proper authorities, may improve, lay out, subdivide with streets and sell any part or parts or the whole of that unused portion of Pine Grove cemetery in said city, lying on the northwesterly side of Parkland avenue extension; provided, that the board of cemetery commissioners of said city shall, by vote at a regular meeting of said board, assent to such sale. Any moneys from the sale of the above mentioned property shall become a part of the funds of Pine Grove cemetery, to be expended by the said board for the purposes of said cemetery.

City of Lynn may sell certain unused cemetery land.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved February 27, 1922.

AN ACT RELATIVE TO THE AUTHORITY OF DISTRICT COURTS
TO ALLOW THE MARRIAGE OF MINORS.

Chap. 98

Be it enacted, etc., as follows:

Section twenty-five of chapter two hundred and seven of the General Laws is hereby amended by inserting after the word "where", in the first line, the words: — , or a district court within the judicial district of which, — and by inserting after the word "probate" in the ninth line the words: — or district, — so as to read as follows: — *Section 25.* The probate court for the county where, or a district court within

G. L. 207, § 25, amended.

Marriage of certain minors, allowance by

probate or
district courts,
proceedings,
etc.

Court order
may issue, etc.

the judicial district of which, a minor under the age specified in the preceding section resides may, after hearing, make an order allowing the marriage of such minor, if the father of such minor or, if he is not living, or if he lives out of the commonwealth or has deserted his family, the mother or, if neither parent is alive, and resident in the commonwealth, a legal guardian has consented to such order. If the parent whose consent would be required if living in the commonwealth lives outside thereof and the address of such parent is known, such notice of the proceedings shall be given him as the probate or district court may order; but no notice need be given to a parent who has deserted his family. Said court may also after hearing make such order in the case of a person whose age is alleged to exceed that specified in the preceding section, but who is unable to produce an official record of birth, whereby the reasonable doubt of the clerk or registrar, as exercised under section thirty-five, may be removed. Upon receipt of a certified copy of such order by the clerk or registrar of the town where such minor resides, he shall receive the notice required by law and issue a certificate as in other cases. *Approved February 27, 1922.*

Chap. 99 AN ACT RELATIVE TO THE VENUE OF ACTIONS FOR SMALL CLAIMS.

Be it enacted, etc., as follows:

G. L. 218, § 21,
amended.

Venue of ac-
tions for small
claims.

SECTION 1. Section twenty-one of chapter two hundred and eighteen of the General Laws is hereby amended by adding at the end thereof the following: — Actions under this and the four following sections shall be brought in the judicial district where the defendant lives or has his usual place of business.

G. L. 223, § 2,
amended.

Venue of
transitory ac-
tions in district
courts.

SECTION 2. Section two of chapter two hundred and twenty-three of the General Laws is hereby amended by inserting at the beginning thereof the following: — Except as provided in section twenty-one of chapter two hundred and eighteen, — so as to read as follows: — *Section 2.* Except as provided in section twenty-one of chapter two hundred and eighteen, a transitory action in a district court shall be brought in the county where one of the defendants lives or has his usual place of business, or, if commenced by trustee process, in the county where all persons named in the writ as trustees live or have their usual places of business, and, in either case, in a court within whose judicial district one

of the parties lives or has his usual place of business, except that an action commenced by trustee process may be brought in the municipal court of the city of Boston if any trustee resides or has his usual place of business in Suffolk county.

Said courts shall have jurisdiction of a transitory action against a defendant who is not an inhabitant of the commonwealth, if personal service or an effectual attachment of property is made within the commonwealth; and such action may be brought in any of said courts in the county where the service or attachment was made.

Jurisdiction
against certain
defendants
not state
inhabitants.

Approved February 27, 1922.

AN ACT DIRECTING THE ELECTION COMMISSIONERS OF THE CITY OF CAMBRIDGE TO DIVIDE THE CITY INTO WARDS.

Chap.100

Be it enacted, etc., as follows:

In the year nineteen hundred and twenty-four, and every tenth year thereafter, the election commissioners of the city of Cambridge shall make a new division of the territory of said city into such number of wards as may be fixed by law. Such division shall be made in accordance with the provisions of chapter fifty-four of the General Laws, so far as the same are not inconsistent herewith.

Election com-
missioners of
Cambridge to
divide city
into wards.

Approved February 27, 1922.

AN ACT AUTHORIZING THE ELECTION COMMISSIONERS OF THE CITY OF CAMBRIDGE TO READJUST THE VOTING PRECINCTS IN SAID CITY.

Chap.101

Be it enacted, etc., as follows:

In the city of Cambridge, whenever in the judgment of the election commissioners of said city a new division of precincts is necessary for the proper conduct of primaries and elections, they may make a new division of the wards into voting precincts. Such division shall be made in accordance with the provisions of chapter fifty-four of the General Laws, so far as the same are not inconsistent herewith.

Election com-
missioners of
Cambridge
may readjust
voting precincts
in city.

Approved February 27, 1922.

AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF MELROSE.

Chap.102

Be it enacted, etc., as follows:

SECTION 1. Beginning with the second Tuesday of December in the year nineteen hundred and twenty-two,

Biennial mu-
nicipal elections
in city of
Melrose.

municipal elections in the city of Melrose for the choice of mayor, members of the board of aldermen and members of the school committee, shall be held biennially, on the second Tuesday of December in every even-numbered year.

Terms of mayor and aldermen.

SECTION 2. The terms of the mayor and the members of the board of aldermen of said city shall be for two years and until their successors are duly elected and qualified in their stead. The aldermen elected in nineteen hundred and twenty-one shall continue to hold office until the election and qualification of their successors who shall be elected at the biennial election in the year nineteen hundred and twenty-four. The inauguration meeting of the city government shall be held on the first Monday of January following the election of its members; provided that, if the first Monday of January falls on a holiday, the said meeting shall take place on the following day.

Aldermen elected in 1921 to continue to hold office until, etc.

Inauguration meeting, when held.

Proviso.

School committee, election, terms, etc.

SECTION 3. At the biennial municipal election to be held in nineteen hundred and twenty-two and at every biennial election thereafter, except as otherwise provided in this section, all members of the school committee to be elected shall be chosen for terms of four years each. The members of said committee elected in nineteen hundred and twenty shall continue to hold office until the election and qualification of their successors, who shall be elected at the biennial election in the year nineteen hundred and twenty-four. At the municipal election to be held in the year nineteen hundred and twenty-four, six members of the school committee shall be elected to fill the vacancies occurring in the following January, and of the members so elected two shall be elected for terms of two years each and four for terms of four years each.

1899, 162, § 51, etc., amended.

SECTION 4. Chapter one hundred and sixty-two of the acts of eighteen hundred and ninety-nine, as amended in section fifty-one by section one of chapter two hundred and thirty-five of the acts of nineteen hundred and two, is hereby further amended by striking out said section fifty-one and inserting in place thereof the following: — *Section 51.* If there is no choice of a mayor, or if the person elected mayor shall refuse to accept the office, or shall die before qualifying, or if in the first eighteen months of the term of office, a vacancy in said office shall occur, the board of aldermen shall forthwith call a meeting for a new election, and the same proceedings shall be had in respect thereto as are hereinbefore provided for the election of mayor, and shall be repeated until the election of a mayor is completed. But if such vacancy in the office of mayor shall occur in the last six

Vacancy in office of mayor, filling, etc.

months of the term for which he is elected, such vacancy shall be filled by the board of aldermen by a majority vote of all its members. If the full number of members of the board of aldermen has not been elected, or if a vacancy in the office of alderman shall occur in the first six months of the term for which aldermen are elected, it shall be filled by an election by the voters of the whole city in the case of an alderman at large, or by an election by and from the voters of the ward entitled to such representative in the case of a ward alderman, and the board of aldermen shall forthwith call a meeting for a new election. But if such vacancy shall occur in the last eighteen months of the term for which aldermen are elected, it shall be filled by the board of aldermen by a majority vote of all its members.

Vacancy in board of aldermen, filling, etc.

SECTION 5. The provisions of chapter one hundred and sixty-two of the acts of eighteen hundred and ninety-nine, and acts in amendment thereof and in addition thereto, that are inconsistent with this act are hereby repealed.

Repeal.

SECTION 6. A vote on the question of granting licenses for the sale of certain non-intoxicating beverages as required by the provisions of chapter one hundred and thirty-eight of the General Laws, or by any other general provision of law, as long as said provisions shall be in effect, shall, beginning with the year nineteen hundred and twenty-two, be taken biennially in the city of Melrose at the biennial election herein provided for.

Biennial vote on certain question of granting licenses.

SECTION 7. This act shall be submitted to the voters of the city of Melrose for their acceptance at the state election in the current year in the form of the following question to be printed on the official ballot: "Shall an act passed by the general court in the year nineteen hundred and twenty-two entitled 'An Act providing for biennial municipal elections in the city of Melrose' be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, then this act shall take effect in said city; otherwise it shall not take effect.

To be submitted to voters, etc.

Approved February 27, 1922.

AN ACT VALIDATING THE ELECTION OF CLARENCE E. SHERMAN AS MEMBER OF THE SCHOOL COMMITTEE OF THE CITY OF LYNN. *Chap. 103*

Be it enacted, etc., as follows:

SECTION 1. The election of Clarence E. Sherman as a member of the school committee of the city of Lynn at the

City of Lynn, election of Clarence E.

Sherman as member of school committee, validated.

city election in nineteen hundred and twenty is hereby validated and confirmed. He may, during the term for which he was so elected, hold the office of member of said school committee and also the office of city librarian and may receive compensation as such librarian, notwithstanding the provisions of chapter three hundred and forty of the Special Acts of nineteen hundred and seventeen or any general law to the contrary.

Certain acts and vote of school committee ratified, etc.

SECTION 2. All acts done and votes passed by said school committee between the first Monday of January, nineteen hundred and twenty-one and the date this act takes effect are hereby ratified and confirmed to the same extent as though said Clarence E. Sherman was legally acting as a member of said committee.

SECTION 3. This act shall take effect upon its passage.
Approved March 2, 1922.

Chap.104 AN ACT RELATIVE TO CERTAIN REPORTS REQUIRED TO BE MADE TO THE GENERAL COURT BY THE COMMISSIONER OF BANKS.

Be it enacted, etc., as follows:

G. L. 167, § 9, amended.

Section nine of chapter one hundred and sixty-seven of the General Laws is hereby amended by striking out the word "incorporated", wherever it occurs, and also by striking out, in the sixth and seventh lines, the words "receivers, from which a report has been received for the preceding year", and inserting in place thereof the words: — the commissioner, — so as to read as follows: — *Section 9.* Annually, on or before the third Wednesday in January, the commissioner shall communicate to the general court an abstract of his report and such suggestions as he considers expedient relative to the general conduct and condition of banks, and on or before March fifteenth a statement of the condition of every bank, including banks in the hands of the commissioner, together with such other information relative to the affairs of the said banks, as, in his opinion, the public interest may require.

Approved March 2, 1922.

Chap.105 AN ACT AUTHORIZING THE CITY OF HOLYOKE TO PAY A SUM OF MONEY TO THE WIDOW OF EDWARD W. CLANCY.

Be it enacted, etc., as follows:

City of Holyoke may pay sum of money to

SECTION 1. The city of Holyoke may pay, in equal weekly instalments, to the widow of Edward W. Clancy,

late a member of its fire department, the balance of the salary to which he would have been entitled had he continued to serve as such member until the end of the present fiscal year.

widow of Edward W. Clancy.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved March 2, 1922.

AN ACT AUTHORIZING THE CITY OF HOLYOKE TO PAY A SUM OF MONEY TO THE WIDOW OF JEREMIAH J. LENNEHAN. *Chap.106*

Be it enacted, etc., as follows:

SECTION 1. The city of Holyoke may pay, in equal weekly instalments, to the widow of Jeremiah J. Lennehan, late a patrolman in its police department, the balance of the salary to which he would have been entitled had he continued to serve as such patrolman until the end of the present fiscal year.

City of Holyoke may pay sum of money to widow of Jeremiah J. Lennehan.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved March 2, 1922.

AN ACT AUTHORIZING THE CITY OF HOLYOKE TO PAY A PENSION TO ANNA KEYES. *Chap.107*

Be it enacted, etc., as follows:

SECTION 1. The city of Holyoke may pay to Anna Keyes, for thirty years a janitress in its service an annual pension of two hundred and sixty dollars, payable in equal weekly instalments.

City of Holyoke may pension Anna Keyes.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved March 2, 1922.

AN ACT RELATIVE TO FISHING WITH FLOATS IN FRESH WATER PONDS. *Chap.108*

Be it enacted, etc., as follows:

Chapter one hundred and thirty of the General Laws is hereby amended by inserting after section seventy-seven the

G. L. 130, new section after § 77.

Fishing with floats in fresh water ponds, prohibited.

Proviso.

Word "float", defined.

following new section: — *Section 77A.* Whoever fishes with floats, otherwise known as toggle fishing, in any fresh water pond in the commonwealth shall be punished by a fine of ten dollars; provided, that the foregoing provision shall not prohibit the use of traps for ice fishing in accordance with law. For the purpose of this section, a "float" shall mean any device floating with a line and hook attached, baited with natural or artificial bait and not under the direct control of the hands of the person fishing.

Approved March 2, 1922.

Chap.109 AN ACT RELATIVE TO THE WATER DEPARTMENT OF THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

1901, 319, § 4, amended.

City of Holyoke, board of water commissioners to collect from fire department rental for hydrants.

SECTION 1. Section four of chapter three hundred and nineteen of the acts of nineteen hundred and one is hereby amended by striking out, in the third line, the word "eight" and inserting in place thereof the word: — sixteen, — so as to read as follows: — *Section 4.* The board of water commissioners is also hereby authorized and directed to collect from the fire department an annual rental, not exceeding sixteen dollars for each public fire hydrant. This rental shall include the cost of all water used by the fire department for fire or other purposes, including the cost of furnishing and maintaining the hydrants.

To be submitted to city council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Holyoke, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 2, 1922.

Chap.110 AN ACT AUTHORIZING THE POLICE COMMISSIONER OF MALDEN TO PENSION NICHOLAS A. CONRAD.

Be it enacted, etc., as follows:

Police commissioner of Malden may pension Nicholas A. Conrad.

SECTION 1. The police commissioner of the city of Malden may retire, on an annual pension of nine hundred and twelve dollars and fifty-one cents, payable by said city, Nicholas A. Conrad who has performed faithful service in the police department of said city for nearly ten years, and who is now physically unfit for useful service therein, said sum being one half of his present annual compensation.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.

Proviso.

Approved March 2, 1922.

AN ACT AUTHORIZING THE CITY OF MALDEN TO PENSION GEORGE W. BARRETT. Chap.111

Be it enacted, etc., as follows:

SECTION 1. The city of Malden may retire George W. Barrett, for thirty-five years water registrar of said city, on an annual pension not to exceed one thousand dollars.

City of Malden may pension George W. Barrett.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.

Proviso.

Approved March 2, 1922.

AN ACT AUTHORIZING THE TOWN OF COHASSET TO VOTE TO REVOKE ITS ACCEPTANCE OF THE CIVIL SERVICE LAWS AS APPLICABLE TO ITS POLICE DEPARTMENT. Chap.112

Be it enacted, etc., as follows:

SECTION 1. The town of Cohasset may, at its next town meeting, vote to revoke its acceptance of the provisions of the civil service laws applicable to its police department. If the town so votes to revoke such acceptance, then the members of the police department of said town shall not continue to hold office under civil service or the rules and regulations made thereunder. Nothing herein contained shall prevent the town from hereafter accepting the provisions of chapter thirty-one of the General Laws applicable to its police department.

Town of Cohasset may vote to revoke its acceptance of civil service laws as applicable to its police department.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1922.

AN ACT TO AMEND THE CHARTER OF THE MILFORD WATER COMPANY. Chap.113

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter seventy-seven of the acts of eighteen hundred and eighty-one is hereby amended

1881, 77, § 5, amended.

by striking out, in the third line, the word "sixty", and inserting in place thereof the words: — one hundred and fifty, — and by striking out, in the fourth line, the word "one" and inserting in place thereof the word: — three, — so as to read as follows: — *Section 5.* Said corporation, for the purposes set forth in this act, may hold real estate not exceeding in amount one hundred and fifty thousand dollars; and the whole capital stock shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars each.

* Milford Water Company may hold real estate, etc.

Amount of capital stock.

SECTION 2. This act shall take effect upon its passage.
Approved March 4, 1922.

Chap. 114 AN ACT RELATIVE TO THE BUSINESS OF FOREIGN BANKING CORPORATIONS OR ASSOCIATIONS.

Be it enacted, etc., as follows:

G. L. 167, § 12, etc., amended.

Section twelve of chapter one hundred and sixty-seven of the General Laws, as amended by section one of chapter seventy-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "association" in the twenty-third and twenty-fourth lines the words: — except as provided in section thirty-seven and, — so as to read as follows: — *Section 12.* No corporation, domestic or foreign, and no person, partnership or association except savings banks and trust companies incorporated under the laws of this commonwealth, or such foreign banking corporations as were doing business in this commonwealth, and were subject to examination or supervision of the commissioner on June first, nineteen hundred and six, shall hereafter make use of any sign at the place where its business is transacted having thereon any name, or other words indicating that such place or office is the place or office of a savings bank; nor shall such corporation, person, partnership or association make use of or circulate any written or printed or partly written and partly printed paper whatever, having thereon any name or other words, indicating that such business is that of a savings bank; nor shall any such corporation, person, partnership or association, or any agent of a foreign corporation not having an established place of business in this commonwealth, solicit or receive deposits or transact business in the way or manner of a savings bank, or in such a way or manner as to lead the public to believe, or as in the opinion of the commissioner might lead the public

Unauthorized banking prohibited.

to believe, that its business is that of a savings bank; nor shall any person, partnership, corporation or association except as provided in section thirty-seven and except cooperative banks incorporated under the laws of this commonwealth and corporations described in the first sentence of this section hereafter transact business under any name or title which contains the word "bank" or "banking", or any word in a foreign language having the same or similar meaning, as descriptive of said business, or, if he or it does a banking business or makes a business of receiving money on deposit, under any name or title containing the word "trust", or any word in a foreign language having the same or similar meaning, as descriptive of said business.

Words "bank" or "trust" etc., or foreign equivalent thereof, restrictions upon use.

Approved March 4, 1922.

AN ACT ESTABLISHING A PARKS AND RECREATION COMMISSION IN THE CITY OF HOLYOKE.

Chap. 115

Be it enacted, etc., as follows:

SECTION 1. There is hereby established a commission to be known as the Parks and Recreation Commission of the city of Holyoke, to consist of seven members, who shall be appointed in the manner and for the terms hereinafter provided. Said commission shall be vested with all the powers and duties heretofore exercised and performed by the board of park commissioners and the playground commission of the city of Holyoke, and said board of park commissioners and playground commission are hereby abolished.

City of Holyoke, Parks and Recreation Commission, establishment, powers, duties, etc.

SECTION 2. Prior to July first, nineteen hundred and twenty-two, the mayor of said city shall appoint, subject to confirmation by the board of aldermen, three members of said new commission to serve for three years, two for two years and two for one year, from the first Monday of July, and thereafter as the term of any member expires, his successor shall be appointed for three years. Vacancies shall be filled in like manner for unexpired terms. The members shall in all cases hold office until their successors are appointed and confirmed and shall serve without compensation.

Appointment by mayor, terms, etc.

Vacancies, etc.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to June first in the current year. For the purpose of submitting this act for acceptance by said city, it shall take effect upon its passage.

To be submitted to city council, etc.

Proviso. Time of taking effect.

Approved March 4, 1922.

Chap.116 AN ACT REGULATING THE ABANDONMENT OF PASSENGER STATIONS BY RAILROAD CORPORATIONS.

Be it enacted, etc., as follows:

G. L. 160, § 128,
amended.

Abandonment
of passenger
stations by
railroad cor-
porations,
regulated.

Section one hundred and twenty-eight of chapter one hundred and sixty of the General Laws is hereby amended by striking out all after the word "railroad" in the sixth line and inserting in place thereof the following:—, except with the written approval of the department after notice posted in and on said station for a period of thirty days immediately preceding a public hearing thereon,—so as to read as follows:— *Section 128.* A railroad corporation which has established and maintained a passenger station throughout the year for five consecutive years at any point upon its railroad shall not abandon such station, unless it is relocated under the following section, nor substantially diminish the accommodation furnished by the stopping of trains thereat as compared with that furnished at other stations on the same railroad, except with the written approval of the department after notice posted in and on said station for a period of thirty days immediately preceding a public hearing thereon.

Approved March 4, 1922.

Chap.117 AN ACT RELATIVE TO THE IMPORTATION OF LIVE HARES AND RABBITS FOR PURPOSES OF PROPAGATION OR LIBERATION.

Be it enacted, etc., as follows:

G. L. 131, new
section after
§ 46.

Importation of
live hares and
rabbits for
purposes of
propagation or
liberation.

Proviso.

SECTION 1. Chapter one hundred and thirty-one of the General Laws is hereby amended by inserting after section forty-six the following new section:— *Section 46A.* A person licensed under section eighty-two or the holder of a permit granted under section eighty-two A, may, at any time, import into this commonwealth live hares or rabbits for the purpose of propagation or liberation; provided, that they have been legally taken in and exported from the state or country from which they are exported.

G. L. 131, § 46,
etc., amended.

SECTION 2. Section forty-six of said chapter one hundred and thirty-one, as amended by chapter one hundred and fifty-two of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "sections" in the second line the words:— forty-six A,— so

as to read as follows: — *Section 46.* No person, except as provided in sections forty-six A, forty-nine, fifty-three and eighty-two to eighty-eight, inclusive, shall hunt, take, kill or have in possession a hare or rabbit in Dukes or Nantucket county except between November fifteenth and February fifteenth, both dates inclusive, or in any other county except between October twentieth and January thirty-first, both dates inclusive, or during the open season take or kill more than two northern varying hares, otherwise known as Canada hares, snow-shoe rabbits or white rabbits, or more than five rabbits in any one day, or have in possession more than two of the said hares or five of the said rabbits taken or killed in any one day; nor shall any person at any time buy, sell, offer for sale or have in possession for the purpose of sale a hare or rabbit taken or killed in this commonwealth, but during the open season in this commonwealth hares or rabbits lawfully taken without the commonwealth may be sold; provided, that the sale thereof is lawful in the state or country in which they were taken. This section shall not apply to European hares in the county of Berkshire which may be taken or killed at any time.

Protection of
hares and
rabbits.

Proviso.

Section not
applicable to
European hares
in Berkshire
county.

Approved March 4, 1922.

AN ACT REQUIRING ASSESSORS TO NOTIFY THE FINANCIAL OFFICERS OF CITIES AND TOWNS OF AMOUNTS TO BE RAISED BY TAXATION AND FROM RECEIPTS, AND OF AMOUNTS OF ABATEMENTS GRANTED.

Chap. 118

Be it enacted, etc., as follows:

Chapter fifty-nine of the General Laws is hereby amended by inserting after section twenty-three the following new sections: — *Section 23A.* The assessors, as soon as the tax rate is fixed for the year, shall notify the auditor or similar officer in cities and in towns, the town accountant, if any, otherwise the town treasurer, of the amount to be raised for state, county, and city or town purposes, and for overlay, specifying the amounts to be levied on real and personal property, on polls, and to accrue from estimated receipts. *Section 23B.* The assessors shall, as often as once a month, notify the auditor or similar officer in cities and in towns, the town accountant, if any, otherwise the town treasurer, of the amounts of abatements of taxes, specifying whether granted on account of assessments on property or on polls.

G. L. 59, new
sections after
§ 23.

Assessors to
notify financial
officers of
cities and
towns of
amounts to be
raised by
taxation and
from receipts.

Assessors to
notify financial
officers of cities
and towns of
amounts of
abatements
granted.

Approved March 4, 1922.

Chap. 119 AN ACT AUTHORIZING POSTS OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES TO PARADE WITH MUSIC ON MEMORIAL SUNDAY.

Be it enacted, etc., as follows:

G. L. 136, § 10,
amended.

Section ten of chapter one hundred and thirty-six of the General Laws is hereby amended by striking out, in the second line, the word "or" and inserting in place thereof a comma, and by inserting after the word "Legion" in the same line the words: — or post of the Veterans of Foreign Wars of the United States, — so as to read as follows: —

Certain parades
with music
allowed on
memorial
Sunday.

Section 10. Any post of the Grand Army of the Republic, camp of the United Spanish War Veterans, post of the American Legion or post of the Veterans of Foreign Wars of the United States may parade with music on the day designated by the national encampment of the grand army as memorial Sunday next preceding Memorial Day, for the special purpose of attending divine service on that day; provided, that the music shall be suspended while passing within two hundred feet of any place of public worship where services are being held. *Approved March 4, 1922.*

Proviso.

Chap. 120 AN ACT RELATIVE TO MEDICAL INSPECTION IN THE PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

G. L. 71, § 55,
amended.

Medical inspection in public schools.

Chapter seventy-one of the General Laws is hereby amended by striking out section fifty-five and inserting in place thereof the following: — *Section 55.* The school committee shall cause to be referred to a school physician for examination and diagnosis every child returning to school without a certificate from the board of health after absence on account of illness from infectious or contagious disease. Every child attending school who shows signs of ill health or of suffering from infectious or contagious disease shall be referred to a school physician, unless at once excluded from the school by the teacher. But in the case of schools remotely situated, the committee may make such other arrangements as may best accomplish the purposes of this section.

Approved March 7, 1922.

AN ACT RELATIVE TO THE AGENT OR SECRETARY APPOINTED BY THE BOARD OF FREE PUBLIC LIBRARY COMMISSIONERS FOR WORK AMONG ALIENS. *Chap.121*

Be it enacted, etc., as follows:

Section eleven of chapter fifteen of the General Laws is hereby amended by striking out, in the seventh line, the words "to direct educational work" and inserting in place thereof the words: — who shall also direct work in libraries, — so as to read as follows: — *Section 11.* The library board, with the consent of the governor and council, may appoint a general secretary and adviser for not exceeding three years, whose salary shall be paid from the appropriation authorized by the preceding section. The library board, with the consent of the governor and council, may also appoint an agent for not exceeding five years, at a salary to be fixed by it, and, with the consent of the governor and council, an agent or secretary who shall also direct work in libraries for the benefit of the alien population of the commonwealth, at such salary as it may fix. The library board, by a majority vote of its members, may remove from office any person appointed under this section.

G. L. 15, § 11, amended.

Board of free public library commissioners, general secretary and adviser, appointment, etc.
Agent, appointment, etc.

Agent or secretary, appointment, duties, etc.

Approved March 7, 1922.

AN ACT RELATIVE TO THE BORROWING OF MONEY BY COUNTIES AND TO THE USE OF PROCEEDS AND PREMIUMS. *Chap.122*

Be it enacted, etc., as follows:

Chapter thirty-five of the General Laws is hereby amended by inserting after section thirty-seven the following new section: — *Section 37A.* Counties shall not issue any bonds or notes payable on demand, and they shall provide for the payment of all debts, except those incurred in anticipation of revenue or in anticipation of reimbursement from cities and towns, by such annual payments as will extinguish the same at maturity, and so that the first of such annual payments on account of any loan shall be made not later than one year after the date of the bond or note issued therefor, and so that the amount of such annual payment in any year on account of such debt, so far as issued, shall not be less than the amount of the principal payable in any subsequent year. The proceeds of any sale of bonds or notes, except premiums, shall be used only for the purposes specified in the original authorization of the loan; provided, that unexpended amounts

G. L. 35, new section after § 37.

Borrowing of money by counties, restrictions, payments, etc.

Use of proceeds of sales of bonds or notes, etc.
Proviso.

Use of
premiums.

may be applied to maturing annual payments of the same loan. Any premium received upon such bonds or notes, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first bond or note to mature.

Approved March 7, 1922.

Chap.123 AN ACT DEFINING THE RECORDS OF COUNTY COMMISSIONERS.

Be it enacted, etc., as follows:

G. L. 34, new
sections after
§ 9.

Records of
county com-
missioners,
contents, defi-
nitions, etc.

Docket.

Files.

Record of
payments
ordered.

Extended
record.

Chapter thirty-four of the General Laws is hereby amended by inserting after section nine the following new sections: —

Section 9A. The records of the commissioners shall consist of a docket, the files, a record of payments ordered, the extended record, and a complete record of proceedings at all meetings as provided in section ten. *Section 9B.* The docket is hereby defined as a record wherein their clerk shall register, by its title or by an abstract, and numbered consecutively, every action, suit and proceeding commenced before or transferred or appealed to the commissioners, and also contracts recorded as required by section seventeen. He shall note therein, according to the date thereof, the filing or return of any paper or process, the making of any decree, adjudication, order, rule or other direction, or any amendment thereof, in or concerning such matter. *Section 9C.* The files are hereby defined as all papers and processes filed with or by the clerk in any action, suit, proceeding or contract, before, by or with the commissioners. All such papers, processes and contracts shall be numbered consecutively in each case, as entered. *Section 9D.* The record of payments ordered shall be in such form as the commissioners, with the approval of the director of accounts, may determine. It shall contain the name of each person to whom payment is ordered made, together with its amount, both of which shall be classified under a heading specifying the appropriation from which such payment is to be made. *Section 9E.* The extended record shall be in abridged form. It shall comprise an abbreviated chronicle of all matters entered upon the docket, under the same or a similar title or an abstract thereof, and under the same number, and shall contain a brief and concise narrative of the essential features of the matter. Any final judgment, decree or order affecting the title to land shall be copied therein at length. But contracts and amendments thereof shall not be copied unless so ordered by the commissioners.

Approved March 7, 1922.

AN ACT AUTHORIZING FISH AND GAME WARDENS AND DEPUTY FISH AND GAME WARDENS TO ENTER UPON PRIVATE LANDS. Chap. 124

Be it enacted, etc., as follows:

Chapter one hundred and thirty of the General Laws is hereby amended by striking out section twenty-two and inserting in place thereof the following: — *Section 22.* The director, his wardens and deputies, may, in the performance of their duties, enter upon and pass through or over private lands.

G. L. 130, § 22, amended.

Director of division of fisheries and game, his wardens and deputies, may enter upon private lands.

Approved March 7, 1922.

AN ACT AUTHORIZING THE CITY OF BROCKTON TO PAY CERTAIN CLAIMS FOR DAMAGES ARISING FROM AN ACCIDENT CAUSED BY ITS FIRE APPARATUS. Chap. 125

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton may pay to Evelyn M. Sullivan, sister and heir-at-law of Willis K. Sullivan, who died from injuries received from an accident caused by its fire apparatus on October seventeenth, nineteen hundred and twenty, a sum not exceeding one thousand dollars.

City of Brockton may pay certain claims for damages arising from accident caused by fire apparatus.

SECTION 2. Said city may pay to James and Delia A. Johnson, father and mother of John F. Johnson, who died from injuries received from said accident, a sum not exceeding one thousand dollars.

Same subject.

SECTION 3. Said city may pay to Esther Bergman, to compensate her for injuries sustained from said accident, a sum not exceeding two thousand dollars.

Same subject.

SECTION 4. Any sums of money authorized to be paid under this act shall be paid in equal weekly instalments, and no assignment of any right in or to said sums shall be valid.

Weekly payments, etc.

SECTION 5. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved March 7, 1922.

Chap. 126 AN ACT AUTHORIZING THE CONVERSION OF CERTAIN SINGLE AND TWO-FAMILY DWELLING HOUSES IN THE CITY OF BOSTON INTO DWELLING HOUSES OF THE THREE-FAMILY TYPE.

Be it enacted, etc., as follows:

1907, 550, § 9,
etc., amended.

Section nine of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section one of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen and by section two of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by adding at the end thereof the following:— For a period of three years after April first, nineteen hundred and twenty-two, any single or two-family dwelling of third-class construction situated in any part of said city not included within the building limits of said city, as they existed prior to said twenty-second day of September, may be converted by such changes, alterations or additions as may be necessary, into dwellings for the occupation of not more than three families; provided, that such changes, alterations or additions are otherwise in conformity with the building laws of said city at the time thereof,

City of Boston,
building limits,
etc.

— so as to read as follows:— *Section 9.* The building limits of the city of Boston as they now exist shall continue until changed by ordinance, and the city council may by ordinance from time to time extend and define them, and may establish other limits in any part of the city within which every building built after the establishment thereof shall be of the first or second class. This restriction shall not apply to wharves, nor to buildings not exceeding twenty-seven feet in height on wharves, nor to market sheds or market buildings not exceeding the said height, nor to elevators for the storage of coal or grain, if the external parts of such buildings, elevators or other structures are covered with slate, tile, metal, or other equally fireproof material, and the mode of construction and the location thereof are approved by the commissioner. Temporary structures to facilitate the prosecution of any authorized work may be erected under such conditions as the commissioner may prescribe. Single and two-family dwellings not to be occupied and not intended, arranged, or designed to be occupied, by more than two families, may

Restriction not
to apply in
certain cases.

Construction
of single and
two-family
dwellings.

be built of third-class construction or of composite construction in all parts of the city of Boston not included in the building limits of the city as they existed prior to the twenty-second day of September in the year nineteen hundred and thirteen; but no such building shall occupy more than sixty per cent of the area of the lot upon which it is situated, and all such buildings shall be constructed with pitched roofs not less than thirty degrees with the horizontal.

Buildings of the third class in the city of Boston may be reconstructed, altered, enlarged, repaired and extended so as to cover a greater area of land: *provided*, that the reconstruction, alteration, enlargement, or extension conforms to the requirements of the law in respect to new buildings of like character; and, *provided, also*, that not more than sixty per cent of the lot is covered.

Buildings of third class, reconstruction, etc.
Provisos.

For a period of three years after April first, nineteen hundred and twenty-two, any single or two-family dwelling of third-class construction situated in any part of said city not included within the building limits of said city, as they existed prior to said twenty-second day of September, may be converted by such changes, alterations or additions as may be necessary, into dwellings for the occupation of not more than three families; *provided*, that such changes, alterations or additions are otherwise in conformity with the building laws of said city at the time thereof.

Conversion of certain single and two-family dwellings into dwellings of three-family type.

Proviso.

Approved March 7, 1922.

AN ACT PROVIDING FOR COUNTY TAXES TO MEET MATURING DEBT AND INTEREST.

Chap. 127

Be it enacted, etc., as follows:

Section thirty of chapter thirty-five of the General Laws is hereby amended by adding at the end thereof the following: — The commissioners shall also levy annually as a county tax a sum sufficient to meet the debt and interest maturing in that year, if no other provision therefor has been made, — so as to read as follows: — *Section 30.* The amount which the county commissioners shall levy as the county tax shall be as authorized annually by the general court, and as computed by adding together the amounts of the annual appropriation and of any new special appropriation, so far as the money therefor is to be raised by taxation, and deducting therefrom so much of the probable receipts from all sources, except loans, and of the unappropriated balance in

G. L. 35, § 30, amended.

County tax, amount regulated.

Levy to meet
maturing debt
and interest.

the county treasury at the closing of the treasurer's books for the previous year as the general court deems advisable. The commissioners shall also levy annually as a county tax a sum sufficient to meet the debt and interest maturing in that year, if no other provision therefor has been made.

Approved March 7, 1922.

Chap. 128 AN ACT RELATIVE TO THE USE OF RIFLES, REVOLVERS OR PISTOLS, OR OF DOGS, IN HUNTING DURING THE OPEN SEASON ON DEER.

Be it enacted, etc., as follows:

G. L. 131, § 66,
amended.

Hunting of
birds, etc., with
rifles, revolvers,
dogs, etc.,
during open
season on deer,
prohibited,
except, etc.

Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section sixty-six and inserting in place thereof the following:— *Section 66.* Whoever, in any county except Dukes or Nantucket, during the open season for deer, hunts, wounds or kills a bird or quadruped with a rifle, revolver or pistol or by the aid of a dog, or in pursuit of birds or quadrupeds has in his possession or under his control in any wood or field, or on any highway, a rifle, revolver or pistol, or, while so armed, a dog adapted to the hunting or pursuing of birds or quadrupeds, shall be punished by a fine of not less than ten nor more than fifty dollars.

Approved March 7, 1922.

Chap. 129 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

Appropriations
for maintenance
of departments,
etc., and
interest, sinking
fund and bond
requirements,
and certain
improvements.

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending November thirtieth, nineteen hundred and twenty-two, or for such other period as may be specified.

SECTION 2.

Service of the Legislative Department.

Item		Legislative Department.
1	For the compensation of senators, the sum of sixty-one thousand five hundred dollars . . .	\$61,500 00
2	For the compensation for travel of senators, a sum not exceeding fifty-four hundred dollars . . .	5,400 00
3	For the compensation of representatives, the sum of three hundred sixty-one thousand five hundred dollars . . .	361,500 00
4	For the compensation for travel of representatives, a sum not exceeding thirty-two thousand and forty dollars . . .	32,040 00
5	For the salaries of Henry D. Coolidge, clerk of the senate, and James W. Kimball, clerk of the house of representatives, the sum of ten thousand dollars . . .	10,000 00
6	For the salaries of William H. Sanger, assistant clerk of the senate, and Frank E. Bridgman, assistant clerk of the house of representatives, the sum of seven thousand dollars . . .	7,000 00
7	For such additional clerical assistance to, and with the approval of, the clerk of the senate, as may be necessary for the proper despatch of public business, a sum not exceeding fifteen hundred dollars . . .	1,500 00
8	For such additional clerical assistance to, and with the approval of, the clerk of the house of representatives, as may be necessary for the proper despatch of public business, a sum not exceeding four thousand dollars . . .	4,000 00
9	For the salary of the sergeant-at-arms, a sum not exceeding thirty-five hundred dollars . . .	3,500 00
10	For clerical assistance, office of the sergeant-at-arms, a sum not exceeding forty-four hundred and forty dollars . . .	4,440 00
11	For compensation for travel of doorkeepers, assistant doorkeepers, messengers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding forty-six hundred and forty-four dollars . . .	4,644 00
12	For the salaries of the doorkeepers of the senate and house of representatives, and the postmaster, with the approval of the sergeant-at-arms, a sum not exceeding fifty-eight hundred dollars . . .	5,800 00
13	For the salaries of assistant doorkeepers and messengers to the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding thirty-eight thousand one hundred dollars . . .	38,100 00

Legislative Department.	Item		
	14	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding seventy-two hundred dollars	\$7,200 00
	15	For the salaries of clerks employed in the legislative document room, a sum not exceeding forty-three hundred and fifty dollars	4,350 00
	16	For certain other persons employed by the sergeant-at-arms, in and about the chambers and rooms of the legislative department, a sum not exceeding twenty-five hundred dollars	2,500 00
	17	For the salaries of the chaplains of the senate and house of representatives, the sum of fifteen hundred dollars	1,500 00
	18	For personal services of the senate counsel and assistants, a sum not exceeding twelve thousand two hundred dollars	12,200 00
	19	For personal services of the house counsel and assistants, a sum not exceeding twelve thousand one hundred and fifty dollars	12,150 00
	20	For clerical and other assistance of the senate committee on rules, a sum not exceeding thirty-five hundred dollars	3,500 00
	21	For clerical and other assistance of the house committee on rules, a sum not exceeding twenty-nine hundred dollars	2,900 00
	22	For authorized traveling and other expenses of the committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding seven thousand dollars	7,000 00
	23	For expenses of advertising hearings of the committees of the present general court, including expenses of preparing and mailing advertisements to the various newspapers, with the approval of the auditor of the commonwealth, a sum not exceeding two thousand dollars	2,000 00
	24	For expenses of summoning witnesses, and for fees of such witnesses, with the approval of the sergeant-at-arms, a sum not exceeding one hundred dollars	100 00
	25	For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, a sum not exceeding fifty-two thousand dollars	52,000 00
	26	For printing and binding the manual for the general court, under the direction and with the approval of the clerks of the senate and house of representatives, a sum not exceeding two thousand dollars	2,000 00

Item		Legislative Department.
27	For expenses in connection with the publication of the bulletin of committee hearings, with the approval of the joint committee on rules, a sum not exceeding nineteen thousand two hundred dollars	\$19,200 00
28	For stationery for the senate, purchased by and with the approval of the clerk, a sum not exceeding six hundred dollars	600 00
29	For stationery for the house of representatives, purchased by and with the approval of the clerk, a sum not exceeding twelve hundred dollars	1,200 00
30	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, a sum not exceeding nineteen thousand five hundred dollars	19,500 00
Total		\$689,324 00

Service of the Judicial Department.

Supreme Judicial Court, as follows:

		Judicial Department. Supreme Judicial Court.
31	For the salaries of the chief justice and of the six associate justices, a sum not exceeding seventy thousand five hundred dollars	\$70,500 00
32	For traveling allowance and expenses, a sum not exceeding forty-five hundred dollars	4,500 00
33	For the pensions of retired justices, a sum not exceeding thirty thousand dollars	30,000 00
34	For the salary of the clerk for the commonwealth, a sum not exceeding thirty-five hundred dollars	3,500 00
35	For clerical assistance to the clerk, a sum not exceeding eight hundred dollars	800 00
36	For clerical assistance to the justices, a sum not exceeding four thousand dollars	4,000 00
37	For the services of stenographers to the justices, a sum not exceeding fifteen thousand dollars	15,000 00
38	For office supplies, services and equipment of the supreme judicial court, a sum not exceeding twenty-five hundred dollars	2,500 00
39	For the salaries of the officers and messengers, a sum not exceeding thirty-one hundred and forty dollars	3,140 00
40	For the salary of the clerk for the county of Suffolk, a sum not exceeding fifteen hundred dollars	1,500 00
Reporter of Decisions:		
41	For the salary of the reporter of decisions, a sum not exceeding six thousand dollars	6,000 00
		Reporter of Decisions.

Reporter of Decisions.	Item		
	42	For clerk hire and office supplies, services and equipment, a sum not exceeding eight thousand dollars	\$8,000 00
		Total	\$149,440 00
Superior Court.		Superior Court, as follows:	
	43	For the salaries of the chief justice and of the twenty-seven associate justices, a sum not exceeding two hundred seventy thousand five hundred dollars	\$270,500 00
	44	For traveling allowance and expenses, a sum not exceeding fifteen thousand dollars	15,000 00
	45	For the salary of the assistant clerk, Suffolk county, a sum not exceeding one thousand dollars	1,000 00
	46	For printing, transportation of papers and documents, and office supplies, services and equipment, a sum not exceeding fifteen hundred dollars	1,500 00
	47	For pensions of retired justices, a sum not exceeding eighteen thousand dollars	18,000 00
		Total	\$306,000 00
Probate and Insolvency Courts.		Probate and Insolvency Courts, as follows:	
	48	For the salaries of judges of probate of the several counties, a sum not exceeding eighty-seven thousand dollars	\$87,000 00
	49	For pensions of retired justices, a sum not exceeding seventy-eight hundred dollars	7,800 00
	50	For the compensation of judges of probate when acting outside of their own county for other judges of probate, a sum not exceeding two thousand dollars	2,000 00
	51	For the salaries of registers of the several counties, a sum not exceeding fifty-three thousand one hundred dollars	53,100 00
	52	For the salaries of assistant registers, a sum not exceeding fifty-two thousand five hundred and eighty dollars	52,580 00
		Total	\$202,480 00
Registers of Probate and Insolvency, clerical assistance.		For clerical assistance to Registers of the several counties, as follows:	
	53	Barnstable, a sum not exceeding one thousand dollars	\$1,000 00
	54	Berkshire, a sum not exceeding fifteen hundred dollars	1,500 00

Item		Registers of Probate and Insolvency, clerical assistance.
55	Bristol, a sum not exceeding seventy-three hundred eighty-three dollars and thirty-three cents	\$7,383 33
56	Dukes county, a sum not exceeding four hundred thirty-three dollars and thirty-three cents	433 33
57	Essex, a sum not exceeding eleven thousand dollars	11,000 00
58	Franklin, a sum not exceeding seven hundred and twenty dollars	720 00
59	Hampden, a sum not exceeding seventy-one hundred dollars	7,100 00
60	Hampshire, a sum not exceeding eleven hundred dollars	1,100 00
61	Middlesex, a sum not exceeding twenty-two thousand six hundred and seventy dollars	22,670 00
62	Norfolk, a sum not exceeding fifty-nine hundred and ninety dollars	5,990 00
63	Plymouth, a sum not exceeding twenty-one hundred and ninety-two dollars	2,192 00
64	Suffolk, a sum not exceeding forty-four thousand one hundred and seventy dollars	44,170 00
65	Worcester, a sum not exceeding ten thousand four hundred and ninety dollars	10,490 00
66	For the salary of the clerk to the register for the county of Middlesex, a sum not exceeding two thousand dollars	2,000 00
67	For the salary of the clerk to the register for the county of Suffolk, a sum not exceeding fifteen hundred dollars	1,500 00
Total		\$119,248 66

District Attorneys, as follows:

		District Attorneys.
68	For the salaries of the district attorney and assistants for the Suffolk district, a sum not exceeding thirty-seven thousand dollars	\$37,000 00
69	For the salaries of the district attorney and assistants for the northern district, a sum not exceeding fourteen thousand seven hundred and fifty dollars	14,750 00
70	For the salaries of the district attorney and assistants for the eastern district, a sum not exceeding ten thousand two hundred and fifty dollars	10,250 00
71	For the salaries of the district attorney, deputy district attorney and assistants for the southeastern district, a sum not exceeding ten thousand six hundred dollars	10,600 00
72	For the salaries of the district attorney and assistants for the southern district, a sum not exceeding eighty-two hundred dollars	8,200 00

District Attorneys.	Item		
	73	For the salaries of the district attorney and assistants for the middle district, a sum not exceeding ten thousand two hundred and fifty dollars	\$10,250 00
	74	For the salaries of the district attorney and assistants for the western district, a sum not exceeding forty-five hundred dollars	4,500 00
	75	For the salary of the district attorney for the northwestern district, a sum not exceeding two thousand dollars	2,000 00
	76	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, a sum not exceeding six thousand dollars	6,000 00
		Total	\$103,550 00

Service of the Land Court.

Land Court.	Item		
	77	For salaries of the judge, associate judge, the recorder and court officer, a sum not exceeding twenty-eight thousand six hundred dollars	\$28,600 00
	78	For engineering, clerical and other personal services, a sum not exceeding nineteen thousand dollars	19,000 00
	79	For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, and for the preparation of sectional plans showing registered land, a sum not exceeding thirty-two thousand dollars	32,000 00
		Total	\$79,600 00

Service of the Commission on Probation.

Commission on Probation.	Item		
	80	For personal services of the deputy commissioner, clerks and stenographers, a sum not exceeding eleven thousand four hundred dollars	\$11,400 00
	81	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding twenty-six hundred dollars	2,600 00
		Total	\$14,000 00

Service of the Board of Bar Examiners.

Board of Bar Examiners.	Item		
	82	For personal services of the members of the board, a sum not exceeding sixty-three hundred dollars	\$6,300 00

Item

83	For other services, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding twenty-four hundred dollars		Board of Bar Examiners.
		\$2,400 00	
	Total	\$8,700 00	

Service of the Executive Department.

84	For the salary of the governor, the sum of ten thousand dollars	\$10,000 00	Executive Department.
85	For the salary of the lieutenant governor, the sum of four thousand dollars	4,000 00	
86	For the salaries of the eight councillors, the sum of eight thousand dollars	8,000 00	
87	For the salaries of officers and employees of the department, a sum not exceeding nineteen thousand six hundred and sixty dollars	19,660 00	
88	For travel and expenses of the lieutenant governor and council from and to their homes, a sum not exceeding fifteen hundred dollars	1,500 00	
89	For postage, printing, office and other contingent expenses, including travel, of the governor, a sum not exceeding eleven thousand dollars	11,000 00	
90	For postage, printing, stationery, traveling and contingent expenses of the governor and council, a sum not exceeding thirty-five hundred dollars	3,500 00	
91	For expenses incurred in the arrest of fugitives from justice, a sum not exceeding one thousand dollars	1,000 00	
92	For payment of extraordinary expenses and for transfers made to cover deficiencies, with the approval of the governor and council, a sum not exceeding one hundred thousand dollars	100,000 00	
	Total	\$158,660 00	

Service of the Adjutant General.

93	For the salary of the adjutant general, a sum not exceeding forty-one hundred dollars	\$4,100 00	Adjutant General.
94	For the personal services of office assistants, a sum not exceeding twenty-two thousand dollars	22,000 00	
95	For personal services of members of the intelligence bureau, a sum not exceeding ten thousand one hundred and seventy dollars	10,170 00	
96	For personal services in the division of records of the world war, a sum not exceeding ninety-two hundred dollars	9,200 00	

Adjutant General.	Item		
	97	For services other than personal, printing the annual report, and for necessary office supplies and expenses, a sum not exceeding eighty-five hundred dollars	\$8,500 00
	98	For expenses not otherwise provided for in connection with military matters and accounts, a sum not exceeding seventy-five hundred dollars	7,500 00
	99	For services other than personal, and for necessary office supplies and expenses of the intelligence bureau, a sum not exceeding six thousand dollars	6,000 00
	100	For services other than personal and for necessary office supplies and expenses of the division of records of the world war, a sum not exceeding twenty-three hundred dollars	2,300 00
	101	For premium on bonds for officers, a sum not exceeding six hundred dollars	600 00
	102	For expenses of maintenance and operation of an automobile for any use directed by the governor or adjutant general, a sum not exceeding fifty-seven hundred dollars	5,700 00
		Total	\$76,070 00

Service of Reorganized Militia.

Reorganized Militia.			
	103	For allowances to companies and other administrative units, a sum not exceeding one hundred twenty-eight thousand dollars	\$128,000 00
	104	For pay and transportation of certain boards, a sum not exceeding seventy-five hundred dollars	7,500 00
	105	For pay and expenses of certain camps of instruction, a sum not exceeding ten thousand dollars	10,000 00
	106	For pay and transportation in making inspections and surveys, and for escort duty, a sum not exceeding five thousand dollars	5,000 00
	107	For transportation of officers and non-commissioned officers for attendance at military meetings, a sum not exceeding fifteen thousand dollars	15,000 00
	108	For transportation to and from regimental and battalion drills, a sum not exceeding eight thousand dollars	8,000 00
	109	For transportation when appearing for examination, a sum not exceeding one thousand dollars	1,000 00
	110	For expenses of rifle practice, a sum not exceeding twenty thousand dollars	20,000 00

Item			
111	For compensation, and transportation at, and expenses in the preparation for camp duty maneuvers, a sum not exceeding twenty-seven thousand dollars	\$27,000 00	Reorganized Militia.
112	For maintenance of horses, a sum not exceeding thirty-one thousand dollars	31,000 00	
113	For expense of maintaining and operating certain trucks, a sum not exceeding seven hundred dollars	700 00	
114	For compensation for special and miscellaneous duty, a sum not exceeding twelve thousand dollars	12,000 00	
115	For transportation and other expenses of the United States instructors, a sum not exceeding five hundred dollars	500 00	
116	For compensation for accidents and injuries sustained in the performance of military duty, a sum not exceeding twenty-five hundred dollars	2,500 00	
117	For reimbursement for death and injuries to horses, a sum not exceeding one thousand dollars	1,000 00	
118	For expenses of organizing and maintaining an aero squadron, a sum not exceeding four thousand dollars	4,000 00	
	Total	\$273,200 00	

Service of the Property and Disbursing Officer.

119	For clerical services and other expenses for the office of the property and disbursing officer, a sum not exceeding fifty-four hundred dollars	\$5,400 00	Property and Disbursing Officer.
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Mexican Border Service.

120	For the expense of furnishing certificates of honor for service on the Mexican border, as authorized by law, a sum not exceeding two hundred dollars, the same to be in addition to any sum heretofore appropriated for the purpose	\$200 00	Mexican Border Service, certificates of honor.
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Service for the Publication of Records of Massachusetts Soldiers and Sailors of the Civil War.

121	For services for the publication of records of Massachusetts soldiers and sailors who served in the civil war, a sum not exceeding seventy-one hundred dollars	\$7,100 00	Publication of Records of Massachusetts Soldiers and Sailors of Civil War.
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Service of the Chief Quartermaster.

Chief Quartermaster.	Item		
	122	For personal services of the chief quartermaster, superintendent of armories and superintendent of arsenal, a sum not exceeding sixty-eight hundred dollars	\$6,800 00
	123	For personal services of other employees of the chief quartermaster, a sum not exceeding fourteen thousand seven hundred dollars	14,700 00
	124	For expert assistance, the employment of which may be exempt from civil service rules, in the disbursement of certain money to the officers and enlisted men of the militia for compensation and allowances, a sum not exceeding twelve hundred dollars	1,200 00
	125	For the salaries of armorers and assistant armorers of first class armories, a sum not exceeding one hundred twelve thousand dollars	112,000 00
	126	For certain incidental military expenses of the quartermaster's department, a sum not exceeding twenty-five hundred dollars	2,500 00
	127	For office and general supplies and equipment, a sum not exceeding ten thousand dollars	10,000 00
	128	For the care and maintenance of the camp ground and buildings at Framingham, a sum not exceeding five thousand dollars	5,000 00
	129	For the maintenance of armories of the first class, a sum not exceeding one hundred forty-five thousand dollars	145,000 00
	130	For reimbursement for rent and maintenance of armories of the second class, a sum not exceeding three thousand dollars	3,000 00
	131	For reimbursement for rent and maintenance of armories of the third class, a sum not exceeding twenty-seven hundred dollars	2,700 00
	132	For an allowance for a mechanic for each battery of field artillery, a sum not exceeding ninety-six hundred dollars	9,600 00
	133	For the rental of stables, including water and certain other incidental services, for the housing of horses and mules, a sum not exceeding fourteen thousand dollars	14,000 00
		Total	\$326,500 00

Service of the Chief Surgeon.

Chief Surgeon.	134	For personal services of the chief surgeon and regular assistants, a sum not exceeding six thousand dollars	\$6,000 00
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Item			
135	For services other than personal, and for necessary medical and office supplies and equipment, a sum not exceeding three thousand dollars	\$3,000 00	Chief Surgeon.
136	For the examination of recruits, a sum not exceeding eight thousand dollars	8,000 00	
	Total	\$17,000 00	

Service of the Supervisor of Administration.

137	For the salaries of the supervisor and deputy, a sum not exceeding ten thousand five hundred dollars	\$10,500 00	Supervisor of Administration.
138	For other personal services, a sum not exceeding twenty-one thousand dollars	21,000 00	
139	For services other than personal and for traveling expenses, office supplies and equipment, a sum not exceeding twenty-three hundred and seventy dollars	2,370 00	
	Total	\$33,870 00	

Service of the Armory Commission.

140	For compensation of members, a sum not exceeding twenty-three hundred dollars	\$2,300 00	Armory Commission.
141	For office and traveling expenses, a sum not exceeding three hundred dollars	300 00	
141 $\frac{1}{4}$	For the construction of a wagon shed at the commonwealth armory, a sum not exceeding four thousand dollars	4,000 00	
141 $\frac{1}{2}$	For alterations in certain armories to accommodate additional units, a sum not exceeding fifty-five thousand dollars	55,000 00	
142	For the purchase of lockers and certain furniture, a sum not exceeding eighty-four hundred dollars	8,400 00	
	Total	\$70,000 00	

Service of the Board of Appeal from Decisions of the Commissioner of Corporations and Taxation.

143	For expenses of the board, a sum not exceeding two hundred and seventy-five dollars	\$275 00	Board of Appeal, etc.
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Service of the Commissioner of State Aid and Pensions.

144	For personal services of the commissioner and deputy, a sum not exceeding sixty-seven hundred dollars	\$6,700 00	Commissioner of State Aid and Pensions.
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	Item		
Commissioner of State Aid and Pensions.	145	For personal services of agents, clerks, stenographers and other assistants, a sum not exceeding thirty-one thousand dollars	\$31,000 00
	146	For services other than personal, including printing the annual report, traveling expenses of the commissioner and his employees, and necessary office supplies and equipment, a sum not exceeding five thousand dollars	5,000 00
		Total	\$42,700 00

For Expenses on Account of Wars.

Expenses on Account of Wars. Reimbursement of cities and towns for state and military aid, etc.	147	For reimbursing cities and towns for money paid on account of state and military aid to Massachusetts soldiers and their families, the sum of four hundred ninety-five thousand dollars, the same to be paid on or before the fifteenth day of November in the year nineteen hundred and twenty-two, in accordance with the provisions of existing laws relative to state and military aid	\$495,000 00
	148	For the maintenance of the Massachusetts Soldiers' Home, with the approval of the trustees thereof, a sum not exceeding one hundred sixty-five thousand dollars	165,000 00
Grand Army of the Republic of the Department of Massa- chusetts.	149	For the Grand Army of the Republic of the department of Massachusetts, the sum of one thousand dollars, as authorized by chapter fifteen of the resolves of nineteen hundred and twenty-one	1,000 00
Commission for aiding re- turned soldiers, etc., in finding employment.	150	For expenses of continuing the work of the commission for aiding returned soldiers, sailors and marines in finding employment, a sum not exceeding ten thousand five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	10,500 00
		Total	\$671,500 00

Service of the Art Commission.

Art Com- mission.	151	For expenses of the commission, a sum not exceeding one hundred dollars	\$100 00
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Service of the Ballot Law Commission.

Ballot Law Commission.	152	For compensation of the commissioners, a sum not exceeding fifteen hundred dollars	\$1,500 00
	153	For expenses, including travel, supplies and equipment, a sum not exceeding two hundred dollars	200 00
		Total	\$1,700 00

Service of Commissioners on Uniform State Laws.

Item			
154	For expenses, for the current fiscal year, of the commissioners on uniform state laws, a sum not exceeding six hundred and fifty dollars .	\$650 00	Commissioners on Uniform State Laws.

Service of the State Library.

155	For personal services of the librarian, a sum not exceeding five thousand dollars	\$5,000 00	State Library.
156	For personal services of the regular library assistants, temporary clerical assistance and for services for cataloguing, a sum not exceeding twenty-seven thousand three hundred dollars	27,300 00	
157	For services other than personal, including printing the annual report, office supplies and equipment, and incidental traveling expenses, a sum not exceeding twenty-seven hundred dollars	2,700 00	
158	For books and other publications and things needed for the library, and the necessary binding and rebinding incidental thereto, a sum not exceeding twelve thousand five hundred dollars	12,500 00	
Total		\$47,500 00	

Service of the Superintendent of Buildings.

159	For personal services of the superintendent and office assistants, a sum not exceeding nineteen thousand five hundred dollars	\$19,500 00	Superintendent of Buildings.
160	For personal services of engineers, assistant engineers, firemen and helpers in the engineer's department, a sum not exceeding sixty-two thousand five hundred dollars	62,500 00	
161	For personal services of watchmen and assistant watchmen, a sum not exceeding thirty-eight thousand dollars	38,000 00	
162	For personal services of porters, a sum not exceeding twenty thousand dollars	20,000 00	
163	For other personal services incidental to the care and maintenance of the building, a sum not exceeding fourteen thousand three hundred dollars	14,300 00	
Total		\$154,300 00	

Other Annual Expenses.

164	For contingent, office and other expenses of the superintendent, a sum not exceeding eighteen hundred dollars	\$1,800 00	Other annual expenses.
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	Item		
Superintendent of Buildings. Other annual expenses.	165	For telephone service in the building, and expenses in connection therewith, a sum not exceeding thirty-seven thousand dollars . . .	\$37,000 00
	166	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding fifty thousand dollars . . .	50,000 00
	167	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds, including repairs of furniture and equipment, a sum not exceeding ninety thousand dollars . . .	90,000 00
		Total	\$178,800 00

For the Maintenance of the Old State House.

Old State House, maintenance.	168	For the contribution of the commonwealth toward the maintenance of the old provincial state house, the sum of fifteen hundred dollars	\$1,500 00
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Service of the Pilgrim Tercentenary Commission.

Pilgrim Tercentenary Commission.	169	For expenses of the pilgrim tercentenary commission there is hereby appropriated the sum of seventy-four hundred twenty-eight dollars and twenty-two cents, being the receipts of said commission from the sale of certain buildings and other property upon land purchased in connection with the placing of memorials . .	\$7,428 22
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*Service of the Commission to Destroy Obsolete and Worthless
Records, Books and Documents*

Commission to Destroy Obsolete Records, etc.	170	For services and expenses of the commission, a sum not exceeding fifty dollars	\$50 00
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Service of the Secretary of the Commonwealth.

Secretary of the Common- wealth.	171	For the salaries of the secretary and officers and employees holding positions established by law, a sum not exceeding twenty-one thousand one hundred dollars	\$21,100 00
	172	For services of additional clerks and other assistants, a sum not exceeding seventy-six thousand dollars	76,000 00
	173	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding thirteen thousand dollars . . .	13,000 00
	174	For postage and expressage on public documents, and for mailing copies of bills and resolves to certain state, city and town officials, a sum not exceeding forty-five hundred dollars . . .	4,500 00
	175	For the arrangement and preservation of state records and papers, a sum not exceeding one thousand dollars	1,000 00

Item		
176	For printing registration books and blanks and indexing returns, a sum not exceeding five thousand dollars	Secretary of the Commonwealth. \$5,000 00
177	For the purchase of copies of certain town records prior to eighteen hundred and fifty, a sum not exceeding seven thousand dollars	7,000 00
178	For printing the history of certain regiments in the civil war and in the world war, the sum of three thousand dollars	3,000 00
179	For the purchase of certain supplies and equipment, and for other things necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", a sum not exceeding thirty-one hundred dollars	3,100 00
180	For the purchase and distribution of copies of certain journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, as authorized by chapter four hundred and thirteen of the acts of nineteen hundred and twenty, a sum not exceeding twelve hundred and fifty dollars	1,250 00
	Total	\$134,950 00
	For indexing vital statistics:	
181	For the preparation of certain indexes of births, marriages and deaths, a sum not exceeding ten thousand dollars, the same to be in addition to the amount appropriated in the preceding year	Indexing vital statistics. \$10,000 00
	For printing laws, etc.:	
182	For printing the pamphlet edition of the acts and resolves of the present year, a sum not exceeding ten thousand dollars	Printing laws, etc. \$10,000 00
183	For the printing of a cumulative index to the acts and resolves, a sum not exceeding one thousand dollars	1,000 00
184	For printing and binding the blue book edition of the acts and resolves of the present year, a sum not exceeding twenty thousand dollars	20,000 00
185	For the purchase of reports of decisions of the supreme judicial court, a sum not exceeding five thousand dollars	5,000 00
186	For the purchase of paper used in the execution of the contract for the state printing, a sum not exceeding one hundred seventy-five thousand dollars	175,000 00
187	For printing and binding public documents, a sum not exceeding twenty-eight thousand dollars	28,000 00
	Total	\$239,000 00

Election matters.	Item		
		For matters relating to elections:	
	188	For personal and other services necessary for preparing and printing ballots for the primary elections, a sum not exceeding seventy-three thousand five hundred dollars	\$73,500 00
	189	For the printing and distribution of ballots, a sum not exceeding fifty-five thousand dollars	55,000 00
	190	For the printing of blanks for town officers, election laws and blanks and instructions on all matters relating to elections, a sum not exceeding sixty-five hundred dollars	6,500 00
	191	For furnishing cities and towns with ballot boxes, and for repairs to the same, a sum not exceeding three thousand dollars	3,000 00
	192	For expenses of publication of lists of candidates and forms of questions before state elections, a sum not exceeding five thousand dollars	5,000 00
	193	For the purchase of apparatus to be used at polling places in the canvass and counting of votes, a sum not exceeding fifteen hundred dollars	1,500 00
	194	For administering the law to permit absent voters to vote at state elections, a sum not exceeding fifteen thousand dollars	15,000 00
	195	For expenses of compiling and publishing information to voters, as required by section fifty-four of chapter fifty-four of the General Laws, a sum not exceeding forty thousand dollars	40,000 00
		Total	\$199,500 00
Supervisor of Public Records.		Supervisor of Public Records:	
	196	For personal services of the supervisor, a sum not exceeding three thousand dollars	\$3,000 00
	197	For the purchase of ink for public records of the commonwealth, a sum not exceeding nine hundred dollars	900 00
	198	For traveling expenses of the supervisor of public records, a sum not exceeding thirteen hundred dollars	1,300 00
		Total	\$5,200 00
Census Division.		Summer Census:	
	199	For personal services and expense of taking a special census in towns having an increased resident population during the summer months, to be covered by assessments upon the towns in which the work is done, a sum not exceeding one thousand dollars	\$1,000 00

Item		
	Decennial Census:	
200	For personal services of the census division of the department of the secretary of the commonwealth, a sum not exceeding forty-eight hundred dollars	Decennial Census. \$4,800 00
201	For expenses of the census division of the department of the secretary of the commonwealth, a sum not exceeding five hundred dollars	500 00
	Total	\$5,300 00
	Medical Examiners' fees:	
202	For medical examiners' fees, as provided by law, a sum not exceeding one thousand dollars	Medical Examiners' fees. \$1,000 00
	Refunding fees:	
203	For the refunding of certain fees under a ruling of the courts, with the approval of the secretary of the commonwealth, a sum not exceeding thirty thousand dollars	Refunding fees. \$30,000 00
	<i>Service of the Treasurer and Receiver General.</i>	
204	For the salary of the treasurer and receiver general and other officers and employees holding positions established by law, a sum not exceeding forty thousand five hundred fifty-three dollars and thirty-four cents	Treasurer and Receiver General. \$40,553 34
205	For services of additional clerical and other assistance, a sum not exceeding eleven thousand seven hundred and fifty dollars	11,750 00
206	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding nine thousand dollars	9,000 00
207	For the expenses of administering chapter two hundred and eleven of the General Acts of nineteen hundred and seventeen, a sum not exceeding twenty-five hundred and twenty dollars, to be paid from the receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen	2,520 00
	Total	\$63,823 34
	Massachusetts State Firemen's Association:	
208	For relief disbursed, with the approval of the commissioners on firemen's relief, subject to the provisions of law, a sum not exceeding seventeen thousand five hundred dollars	Massachusetts State Firemen's Association. \$17,500 00

	Item		
Commissioners on Firemen's Relief.	209	For expenses of administration by the commissioners on firemen's relief, a sum not exceeding five hundred dollars	\$500 00
		Total	\$18,000 00
		Payments to soldiers:	
Payments to soldiers.	210	For personal services and other expenses in administering the provisions of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen, relative to suitable recognition of residents of Massachusetts serving in the army or navy of the United States during the war with Germany, a sum not exceeding ninety-nine hundred and eighty dollars, the same to be payable from the receipts from taxes levied under said chapter and chapter three hundred and forty-two of the General Acts of nineteen hundred and nineteen, the same to be in addition to any amount heretofore appropriated for the purpose	\$9,980 00
	210½	For expenses and payments to persons in the military service authorized by chapter two hundred and eleven of the General Acts of nineteen hundred and seventeen, a sum not exceeding ten thousand dollars, to be paid from the receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen	10,000 00
		Total	\$19,980 00
		State Board of Retirement:	
State Board of Retirement.	211	For personal services in the administrative office of the state board of retirement, a sum not exceeding seventy-eight hundred dollars	\$7,800 00
	212	For services other than personal, printing the annual report, and for office supplies and equipment, a sum not exceeding thirty-four hundred and seventy-five dollars	3,475 00
	213	For requirements of annuity funds and pensions for employees retired from the state service under authority of law, a sum not exceeding eighty-five thousand dollars	85,000 00
		Total	\$96,275 00

Requirements for Extinguishing the State Debt.

Item		Requirements for Extinguish- ing State Debt.
214	For sinking fund requirements and for certain serial bonds maturing during the present year, the sum of one million eight hundred seventy-one thousand one hundred one dollars and twenty-eight cents, of which sum thirty-four thousand dollars for serial bonds for the abolition of grade crossings shall be paid from the balance now in the treasury of the proceeds of the last loan for said purpose; two hundred and twenty-five thousand dollars for the development of the port of Boston loan shall be paid from the balance of the proceeds of the sale of the Boston dry dock out of the appropriation made by section four of chapter two hundred and twenty-five of the acts of nineteen hundred and twenty, and sixty thousand dollars for serial bonds for the harbor improvement loan shall be paid from the unexpended balance now in the treasury of the proceeds of said loan	\$1,871,101 28

Interest Requirements.

215	For the payment of interest on the direct debt and temporary loans of the commonwealth, a sum not exceeding one million seven hundred seventy-five thousand dollars	Interest Requirements. \$1,775,000 00
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Service of the Auditor of the Commonwealth.

216	For the salary of the auditor and other officers and employees holding positions established by law, a sum not exceeding thirty-two thousand one hundred and forty dollars	Auditor of the Common- wealth. \$32,140 00
217	For services of such additional clerical and other assistance as may be necessary, a sum not exceeding forty-two thousand dollars	42,000 00
218	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding eight thousand dollars	8,000 00
Total		\$82,140 00

Unclassified Accounts and Claims.

219	For the compensation of veterans of the civil war and certain others formerly in the service of the commonwealth, now retired, a sum not exceeding seventy-five thousand dollars	Unclassified Accounts and Claims. \$75,000 00
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Unclassified Accounts and Claims.	Item		
	220	For the compensation of any veteran who may be retired by the governor under the provisions of sections fifty-six to sixty, inclusive, of chapter thirty-two of the General Laws, a sum not exceeding five hundred dollars	\$500 00
	221	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, and now retired, a sum not exceeding twenty-four thousand dollars	24,000 00
	222	For the compensation of state police officers formerly in the service of the commonwealth, and now retired, a sum not exceeding seven thousand dollars	7,000 00
	223	For the compensation of certain women formerly employed by the sergeant-at-arms in cleaning the state house, and now retired, a sum not exceeding fifteen hundred and sixty dollars . .	1,560 00
		Total	\$108,060 00
		For certain other aid:	
	224	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, a sum not exceeding seventeen thousand dollars	\$17,000 00
	225	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding eighty-three hundred and fourteen dollars	8,314 00
		Total	\$25,314 00
	226	For expenses incurred in the construction and repair of roads in the town of Mashpee during the year nineteen hundred and twenty-one, the sum of three hundred dollars	\$300 00
	227	For maintenance of boulevards and parkways, with the approval of the metropolitan district commission, a sum not exceeding two hundred ten thousand five hundred dollars, representing the state's portion or one half of the estimated cost of maintenance, to be paid from receipts in the Motor Vehicle Fees Fund	210,500 00
	228	For maintenance of Wellington bridge, with the approval of the metropolitan district commission, a sum not exceeding thirty-seven hundred and fifty dollars, representing the state's portion or one quarter of the estimated cost of maintenance	3,750 00

Item		Unclassified Accounts and Claims.
229	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by existing laws, a sum not exceeding three hundred dollars	\$300 00
230	For payment in accordance with law of such claims as may arise in consequence of the death of firemen and of persons acting as firemen, from injuries received in the discharge of their duties, a sum not exceeding eighteen thousand dollars	18,000 00
231	For payment of any claims, as authorized by section eighty-seven of chapter thirty-two of the General Laws, for an allowance to the families of policemen killed or fatally injured in the discharge of their duties, a sum not exceeding one thousand dollars	1,000 00
232	For small items of expenditure for which no appropriations have been made, and for cases in which appropriations have been exhausted or have reverted to the treasury in previous years, a sum not exceeding one thousand dollars	1,000 00
233	For reimbursement of persons for funds previously deposited in the treasury of the commonwealth on account of unclaimed savings bank deposits, a sum not exceeding three thousand dollars	3,000 00
234	For expenses incurred for the preparation of preliminary studies and estimates, as required by section nine of chapter twenty-nine of the General Laws, where no appropriation is made to carry out the improvement requested, a sum not exceeding five thousand dollars	5,000 00
235a	For Arthur W. Scott in reimbursement on account of a refund of salary representing an increase approved by the governor and council under a misapprehension, the sum of four hundred four dollars and nineteen cents	404 19
235b	For Frank M. Johnson of Gloucester, in full payment for certain damages sustained on account of his automobile having been run into by horses attached to a gun carriage in charge of members of the National Guard, battery A, second regiment, field artillery, the sum of one thousand dollars, said payment to be made only upon the filing of satisfactory releases, or other evidence, that the payment is accepted in full compensation for all liability for compensation on the part of the commonwealth	1,000 00
235c	For the Darrow-Mann Coal Company, the sum of one thousand thirteen dollars and nine cents, to be paid from the Port of Boston Fund, with the approval of the department of public works	1,013 09

Unclassified Accounts and Claims.	Item		
	235d	For The American Legion, in reimbursement for certain expenses incurred in finding employment for returned soldiers in accordance with the methods adopted by the commission appointed under chapter one hundred and twenty-five of the General Acts of nineteen hundred and nineteen, for aiding returned soldiers, sailors and marines in finding employment, the sum of forty-two hundred and forty-six dollars	\$4,246 00
	235e	For Jane H. Hixon of Arlington, the sum of six hundred thirty-three dollars and thirty-three cents, being the remainder of the compensation to which her husband, Charles F. Hixon, would have been entitled had he lived and continued as an elevator operator until the end of the fiscal year nineteen hundred and twenty-one	633 33
	Total		<hr/> \$250,146 61

Service of the Attorney General's Department.

Attorney General's Department.			
	236	For the salary of the attorney general, the sum of eight thousand dollars	\$8,000 00
	237	For the compensation of assistants in his office, and for such other legal and personal services as may be required, a sum not exceeding eighty-two thousand dollars	\$2,000 00
	238	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twelve thousand dollars	12,000 00
	Total		<hr/> \$102,000 00

Service of the Department of Agriculture.

Department of Agri- culture.			
	239	For the salary of the commissioner, a sum not exceeding five thousand dollars	\$5,000 00
	240	For personal services of clerks and stenographers, a sum not exceeding twelve thousand eight hundred dollars	12,800 00
	241	For traveling expenses of the commissioner, a sum not exceeding seven hundred and fifty dollars	750 00
	242	For services other than personal, printing the annual report, office supplies and equipment, and printing and furnishing trespass posters, a sum not exceeding sixty-two hundred dollars	6,200 00
	243	For compensation and expenses of members of the advisory board, a sum not exceeding twenty-two hundred dollars	2,200 00

Item			
244	For services and expenses of apiary inspection, a sum not exceeding fifteen hundred dollars	\$1,500 00	
	Division of Agricultural Information:		
245	For personal services, a sum not exceeding sixty-five hundred dollars	6,500 00	Division of Agricultural Information.
246	For other expenses and for disseminating useful information in agriculture, a sum not exceeding seventy-two hundred dollars	7,200 00	
	Division of Dairying and Animal Husbandry:		
247	For personal services, a sum not exceeding nine thousand dollars	9,000 00	Division of Dairying and Animal Husbandry.
248	For other expenses, including the enforcement of the dairy laws of the commonwealth, a sum not exceeding forty-eight hundred dollars	4,800 00	
249	For expenses of demonstration sheep farms, a sum not exceeding forty-three hundred dollars	4,300 00	
	Division of Plant Pest Control:		
250	For personal services, a sum not exceeding ten thousand seven hundred dollars	10,700 00	Division of Plant Pest Control.
251	For other expenses, a sum not exceeding sixty-three hundred dollars	6,300 00	
	Division of Ornithology:		
252	For personal services, a sum not exceeding thirty-seven hundred dollars	3,700 00	Division of Ornithology.
253	For other expenses, a sum not exceeding four hundred and fifty dollars	450 00	
	Division of Markets:		
254	For personal services, a sum not exceeding fourteen thousand dollars	14,000 00	Division of Markets.
255	For other expenses, a sum not exceeding five thousand dollars	5,000 00	
	Division of Reclamation, Soil Survey and Fairs:		
256	For personal services, a sum not exceeding twelve thousand five hundred dollars	12,500 00	Division of Reclamation, Soil Survey and Fairs.
257	For travel and other expenses, a sum not exceeding fifty-eight hundred and fifty dollars	5,850 00	
258	For state prizes and agricultural exhibits, a sum not exceeding twenty-seven thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	27,000 00	
259	(This item omitted.)		

Item			
<i>Specials:</i>			
Department of Agriculture, Specials.	260	For work in protecting the pine trees of the commonwealth from white pine blister rust, a sum not exceeding eight thousand dollars, the same to be expended in co-operation with the federal authorities	\$8,000 00
	261	For quarantine and other expenses in connection with the work of suppression of the European corn-borer, so-called, a sum not exceeding six thousand dollars	6,000 00
	262	For payments of claims on account of currant and raspberry bushes destroyed in the work of suppressing white pine blister rust, a sum not exceeding two hundred and fifty dollars	250 00
	262½	(This item omitted.)	
	Total		\$160,000 00
<i>Service of the Drainage Board.</i>			
Drainage Board.	263	For expenses of the board, a sum not exceeding one thousand dollars	\$1,000 00
<i>Service of the Department of Conservation.</i>			
<i>Administration:</i>			
Department of Conservation.	264	For the salary of the commissioner, a sum not exceeding five thousand dollars	\$5,000 00
	265	For traveling expenses of the commissioner, a sum not exceeding two hundred and fifty dollars	250 00
	Total		\$5,250 00
<i>Division of Forestry:</i>			
Division of Forestry.	266	For personal services of office assistants, a sum not exceeding ten thousand six hundred dollars	\$10,600 00
	267	For services other than personal, including printing the annual report, and for traveling expenses of the secretary and necessary office supplies and equipment, a sum not exceeding fifty-five hundred dollars	5,500 00
	268	For the salaries and expenses of foresters and necessary labor, supplies and equipment in maintaining forest tree nurseries, a sum not exceeding eleven thousand dollars	11,000 00
	269	For the purchase of land and reforesting the same (as authorized by section ten of chapter one hundred thirty-two of the General Laws), a sum not exceeding ten thousand dollars	10,000 00

Item		Division of Forestry.
270	For aiding towns in the purchase of equipment for extinguishing forest fires and for making protective belts or zones as a defense against forest fires, a sum not exceeding one thousand dollars	\$1,000 00
271	For the personal services of the state fire warden and his assistants, and for other services, including traveling expenses of the fire warden and his assistants, necessary supplies and equipment and materials used in new construction in the forest fire prevention service, a sum not exceeding forty-eight thousand dollars, the same to be in addition to any funds allotted to Massachusetts by the federal authorities	48,000 00
272	For the suppression of the gypsy and brown tail moths, and for expenses incidental thereto, a sum not exceeding one hundred sixty-five thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	165,000 00
273	For the planting and maintenance of state forests, a sum not exceeding twenty-five thousand dollars	25,000 00
274	For the purchase and development of state forests, and for the maintenance of nurseries for the growing of seedlings for the planting of state forests, as authorized by section thirty-six of chapter one hundred and thirty-two of the General Laws, a sum not exceeding two hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	200,000 00
275	(This item omitted.)	
276	For the maintenance of the Standish monument reservation, a sum not exceeding fifteen hundred dollars	1,500 00
277	For the maintenance of Mount Grace state forest, a sum not exceeding one thousand dollars	1,000 00
278	For reimbursement to certain towns, as authorized by section twenty-four of chapter forty-eight of the General Laws, a sum not exceeding one thousand dollars	1,000 00
Total		\$479,600 00

	Item		
		Division of Fisheries and Game:	
Division of Fisheries and Game.	279	For the salary of the director, a sum not exceeding four thousand dollars	\$4,000 00
	280	For personal service of office assistants, a sum not exceeding eighty-six hundred dollars	8,600 00
	281	For services other than personal, including printing the annual report, traveling expenses and necessary office supplies and equipment, a sum not exceeding eleven thousand eight hundred dollars	11,800 00
	282	For expenses of exhibitions and other measures to increase the interest of the public in the protection and propagation of fish and game, a sum not exceeding one thousand dollars	1,000 00
		Enforcement of laws:	
Enforcement of laws.	283	For personal services of fish and game wardens, a sum not exceeding fifty-seven thousand five hundred dollars	57,500 00
	284	For traveling expenses of fish and game wardens, and for other expenses necessary for the enforcement of the laws, a sum not exceeding twenty-four thousand three hundred dollars	24,300 00
		Biological work:	
Biological work.	285	For personal services to carry on biological work, a sum not exceeding forty-three hundred dollars	4,300 00
	286	For traveling and other expenses of the biologist and his assistants, a sum not exceeding twenty-four hundred dollars	2,400 00
		Propagation of game birds, etc.:	
Propagation of game birds, etc.	287	For the maintenance of game farms and fish hatcheries, and for the propagation of game birds and animals and food fish, a sum not exceeding eighty-five thousand dollars	85,000 00
		Marine fisheries:	
Marine fisheries.	288	For personal services for regulating the sale and cold storage of fresh food fish, a sum not exceeding seven thousand dollars	7,000 00
	289	For other expenses for regulating the sale and cold storage of fresh food fish, a sum not exceeding twenty-one hundred dollars	2,100 00
		Total	\$208,000 00
		For certain improvements to be made under the direction of the Division of Fisheries and Game, as follows:	
For certain improvements.	290	At the Montague rearing station, a sum not exceeding twenty-five hundred dollars	\$2,500 00
	291	At the Palmer hatchery, a sum not exceeding twelve hundred dollars	1,200 00

Item			
292	At the Marshfield bird farm, a sum not exceeding fifteen hundred and fifty dollars	\$1,550 00	Division of Fisheries and Game.
292 ¹ / ₂	At the Martha's Vineyard reservation, a sum not exceeding three hundred and fifty dollars	350 00	For certain improvements.
293	(This item omitted.)		
294	At the Sandwich fish hatchery, a sum not exceeding two thousand dollars	2,000 00	
295	At the Sandwich bird farm, a sum not exceeding one thousand dollars	1,000 00	
295 ¹ / ₄	At the Sutton hatchery, a sum not exceeding twelve hundred dollars	1,200 00	
295 ¹ / ₂	At the Wilbraham game farm, a sum not exceeding twenty-one hundred and fifty dollars	2,150 00	
	Total	\$11,950 00	
	Claims for Damages by Wild Deer:		
296	For the payment of damages caused by wild deer and wild moose, for the present year and previous years, as provided by law, a sum not exceeding six thousand dollars	\$6,000 00	Claims for Damages by Wild Deer.
	Bounty on Seals:		
297	For bounties on seals, a sum not exceeding one hundred dollars	\$100 00	Bounty on Seals.
	Division of Animal Industry:		
298	For the salary of the director, a sum not exceeding thirty-five hundred dollars	\$3,500 00	Division of Animal Industry.
299	For personal services of clerks and stenographers, a sum not exceeding eighty-one hundred dollars	8,100 00	
300	For services other than personal, including printing the annual report, traveling expenses of the director, and office supplies and equipment, a sum not exceeding fifty-two hundred dollars	5,200 00	
301	For personal services of veterinarians and agents engaged in the work of extermination of contagious diseases among domestic animals, a sum not exceeding forty-seven thousand dollars	47,000 00	
302	For the traveling expenses of veterinarians and agents, a sum not exceeding twenty-three thousand dollars	23,000 00	
303	For reimbursement of owners of cattle and horses killed during the present and previous years, travel, when allowed, of inspectors of animals, incidental expenses of killing and and burial, quarantine and emergency services, and for laboratory and veterinary supplies and equipment, a sum not exceeding seventy-one thousand dollars	71,000 00	
	Total	\$157,800 00	

Item			
		Reimbursement of towns for Inspectors of Animals:	
Reimbursement of towns for Inspectors of Animals.	304	For the reimbursement of certain towns for compensation paid to inspectors of animals, a sum not exceeding seven thousand dollars .	\$7,000 00
		<i>Service of Department of Banking and Insurance.</i>	
		Division of Banks and Loan Agencies:	
Department of Banking and Insurance.	305	For salary of the commissioner, the sum of six thousand dollars .	\$6,000 00
Division of Banks and Loan Agencies.	306	For services of directors, examiners and assistants, clerks, stenographers and experts, a sum not exceeding two hundred sixty-two thousand dollars .	262,000 00
	307	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding one hundred and eight thousand dollars .	108,000 00
		Total	\$376,000 00
		Supervisor of Loan Agencies:	
Supervisor of Loan Agencies.	308	For salary of the deputy appointed supervisor, a sum not exceeding thirty-five hundred dollars .	\$3,500 00
	309	For services of assistants in the supervisor's office, a sum not exceeding thirty-nine hundred and sixty dollars .	3,960 00
	310	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding eight hundred dollars .	800 00
		Total	\$8,260 00
		Registration of Public Accountants:	
Registration of Public Accountants.	311	For examinations and registration of public accountants, including personal services of examiners, other services and necessary supplies and equipment, the said expenses to be incurred under the direction and with the approval of the commissioner of banks, a sum not exceeding twenty-three hundred dollars .	\$2,300 00
		Division of Insurance:	
Division of Insurance.	312	For personal services of the division, a sum not exceeding ninety-six thousand dollars .	\$96,000 00
	313	For other services, including printing the annual report, traveling expenses, and necessary office supplies and equipment, a sum not exceeding twenty-five thousand five hundred dollars .	25,500 00
		Total	\$121,500 00

Item			
Board of Appeal on Fire Insurance Rates:			
314	For expenses of the board, a sum not exceeding two hundred dollars	\$200 00	Board of Appeal on Fire Insurance Rates.
Division of Savings Banks Life Insurance:			
315	For personal services of officers and employees, a sum not exceeding eighteen thousand nine hundred dollars	\$18,900 00	Division of Savings Bank Life Insurance.
316	For publicity, including traveling expenses of one person, a sum not exceeding fifteen hundred dollars	1,500 00	
317	For services other than personal, printing the annual report and traveling expenses, office supplies and equipment, a sum not exceeding forty-five hundred dollars	4,500 00	
318	For encouraging and promoting old age annuities and the organization of mutual benefit associations among the employees of industrial plants in the commonwealth, a sum not exceeding three thousand dollars	3,000 00	
Total		\$27,900 00	

Service of the Department of Corporations and Taxation.

319	For the salaries of the commissioner and certain positions filled by the commissioner, with the approval of the governor and council, a sum not exceeding forty-six thousand one hundred and fifty-five dollars	\$46,155 00	Department of Corporations and Taxation.
320	For the services of additional clerical and other assistance, a sum not exceeding ninety-five thousand dollars	95,000 00	
321	For traveling expenses, a sum not exceeding sixty-five hundred dollars	6,500 00	
322	For other services and for necessary office supplies and equipment, and for printing the annual report, other publications and valuation books, a sum not exceeding twenty-eight thousand dollars	28,000 00	
(The above item is substituted for items Nos. 322 and 323.)			
323	(This item omitted.)		
Total		\$175,655 00	

Income Tax Division (the following appropriations are to be made from the receipts from the income tax):

324	For personal services of the deputy, assistants, assessors, assistant assessors, clerks, stenographers and other necessary assistants, a sum not exceeding three hundred fifteen thousand dollars	\$315,000 00	Income Tax Division.
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	Item	
Income Tax Division.	325	For traveling expenses of members of the division, a sum not exceeding nine thousand dollars \$9,000 00
	326	For services other than personal and for office supplies and equipment, a sum not exceeding one hundred thirty-five thousand dollars 135,000 00
		<hr/>
	Total	\$459,000 00
Division of Accounts:		
Division of Accounts.	327	For personal services, a sum not exceeding forty-two thousand dollars \$42,000 00
	328	For other expenses, a sum not exceeding eleven thousand dollars 11,000 00
	329	For services and expenses of auditing and installing municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done, a sum not exceeding fifty thousand dollars 50,000 00
	330	For the expense of certain books, forms and other material, which may be sold to cities and towns requiring the same for maintaining their system of accounts, a sum not exceeding five thousand dollars 5,000 00
		<hr/>
	Total	\$108,000 00
Reimbursement to cities and towns for loss of certain taxes.	331	For reimbursing cities and towns for loss of taxes on land used for state institutions, as certified by the commissioner of corporations and taxation, for the fiscal year ending November thirtieth, nineteen hundred and twenty-two, a sum not exceeding seventy-one thousand dollars \$71,000 00
<i>Service of the Department of Education.</i>		
Department of Education.	332	For the personal services of officers, agents, clerks, stenographers and other assistants, but not including those employed in university extension work, a sum not exceeding eighty-seven thousand five hundred dollars. \$87,500 00
	333	For the training of teachers for vocational schools to comply with the requirements of federal authorities under the provisions of the Smith-Hughes act, so-called, a sum not exceeding thirty thousand eight hundred and twenty-five dollars 30,825 00
	334	For traveling expenses of members of the board and of agents and employees when required to travel in discharge of their duties, a sum not exceeding nine thousand dollars 9,000 00

Item		Department of Education.
335	For services other than personal, necessary office supplies, and for printing the annual report and bulletins as provided by law, a sum not exceeding sixteen thousand three hundred dollars	\$16,300 00
336	For expenses incidental to furnishing school committees with rules for testing the sight and hearing of pupils, a sum not exceeding twenty-three hundred dollars	2,300 00
337	For printing school registers and other school blanks for cities and towns, a sum not exceeding twenty-four hundred dollars	2,400 00
338	For assisting small towns in providing themselves with school superintendents, as provided by law, a sum not exceeding one hundred eighteen thousand dollars	118,000 00
339	For the reimbursement of certain towns for the payment of tuition of children attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding one hundred fifty-two thousand three hundred dollars	152,300 00
340	For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding ninety-two thousand nine hundred dollars	92,900 00
341	For the reimbursement of certain cities and towns for a part of the expense of maintaining agricultural and industrial vocational schools, as provided by law, a sum not exceeding one million seven thousand four hundred eighty-five dollars and seven cents	1,007,485 07
342	For the promotion of vocational rehabilitation and co-operation with the federal government, with the approval of the department of education, a sum not exceeding fifteen thousand dollars	15,000 00
343	For the education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, a sum not exceeding three hundred fifteen thousand dollars	315,000 00
344	For expenses of holding teachers' institutes, a sum not exceeding two thousand dollars	2,000 00
345	For aid to certain pupils in normal schools under the direction of the department of education, a sum not exceeding four thousand dollars,	4,000 00
Total		\$1,855,010 07

Item			
English Speaking Classes for Adults.	English Speaking Classes for Adults:		
	346	For personal services of administration, a sum not exceeding eleven thousand four hundred dollars	\$11,400 00
	347	For other expenses of administration, a sum not exceeding seven thousand dollars	7,000 00
	348	For reimbursement of certain cities and towns, a sum not exceeding one hundred thirty thousand dollars	130,000 00
	Total		\$148,400 00
University Extension Courses.	University Extension Courses:		
	349	For personal services, a sum not exceeding one hundred thirty-eight thousand dollars	\$138,000 00
	350	For other expenses, a sum not exceeding fifty thousand dollars	50,000 00
	Total		\$188,000 00
Division of Immigration and Americanization.	Division of Immigration and Americanization:		
	351	For personal services, a sum not exceeding twenty-nine thousand seven hundred and fifty dollars	\$29,750 00
	352	For other expenses, a sum not exceeding eight thousand dollars	8,000 00
	Total		\$37,750 00
Division of Public Libraries.	Division of Public Libraries:		
	353	For personal services of regular agents and office assistants, a sum not exceeding ninety-four hundred dollars	\$9,400 00
	354	For other services, including printing the annual report, traveling expenses, necessary office supplies, and expenses incidental to the aiding of public libraries, a sum not exceeding thirteen thousand seven hundred and ninety dollars	13,790 00
	Total		\$23,190 00
Division of the Blind.	Division of the Blind:		
	355	For general administration, furnishing information, industrial and educational aid, and for carrying out the other provisions of the laws establishing said division, a sum not exceeding sixty-seven thousand seven hundred dollars	\$67,700 00

Item		Division of the Blind.
356	For maintenance of industries under the control of said division, a sum not exceeding sixty-two thousand dollars, the same to be in addition to the income collected by the division from sales of products	\$62,000 00
357	For instruction of the adult blind in their homes, a sum not exceeding ninety-seven hundred dollars	9,700 00
358	For expenses of providing sight-saving classes, with the approval of the division of the blind, a sum not exceeding ten thousand dollars	10,000 00
359	For aiding the adult blind, subject to the conditions provided by law, a sum not exceeding eighty-six thousand three hundred dollars	86,300 00
360	For payment of certain invoices for materials for manufacture used in the industries of the division, and purchased in previous years, a sum not exceeding thirty thousand dollars	30,000 00
Total		\$265,700 00
Teachers' Retirement Board:		
361	For personal services of employees, a sum not exceeding eighty-one hundred dollars	\$8,100 00
362	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding twenty-four hundred dollars	2,400 00
363	For payment of pensions to retired teachers, a sum not exceeding two hundred forty-eight thousand dollars	248,000 00
364	For reimbursement of certain cities and towns for pensions to retired teachers, a sum not exceeding fifty-seven thousand forty-five dollars and ninety-three cents	57,045 93
Total		\$315,545 93
Massachusetts Nautical School:		
365	For personal services of the secretary and office assistants, a sum not exceeding four thousand dollars	\$4,000 00
366	For services other than regular clerical services, including printing the annual report, rent, office supplies and equipment, a sum not exceeding twenty-six hundred dollars	2,600 00
367	For the maintenance of the school and ship, a sum not exceeding eighty-six thousand dollars	86,000 00
Total		\$92,600 00

Item		
Massachusetts Agricultural College.	Massachusetts Agricultural College:	
	368 For maintenance and current expenses, a sum not exceeding eight hundred thirty-six thousand two hundred and eighty-five dollars . . .	\$836,285 00
	369 For the construction of a building for a chemical laboratory, including the expense of all pipe lines and other service connections and equipment and furnishings, at a cost not to exceed three hundred thousand dollars, of which amount one hundred and fifty thousand dollars is hereby appropriated in anticipation of a further sum of one hundred and fifty thousand dollars to be appropriated in the fiscal year nineteen hundred and twenty-three, provided, however, that no contract shall be let for the erection of the building until plans have been prepared and submitted for the completion of the building and its connections and equipment and furnishings, for a sum not exceeding three hundred thousand dollars . . .	150,000 00
	370 For certain improvements at power plant, a sum not exceeding sixty-nine thousand dollars . . .	69,000 00
	371 For certain improvements at Tillson farm, a sum not exceeding five thousand dollars . . .	5,000 00
	372 For the purchase of Brooks farm, a sum not exceeding fifteen thousand dollars . . .	15,000 00
	Total	\$1,075,285 00
For the maintenance and improvement of the state normal schools, and the boarding halls attached thereto, with the approval of the commissioner of education, as follows:		
Maintenance of state normal schools.	373 Bridgewater normal school, a sum not exceeding one hundred twenty-one thousand and fifty dollars	\$121,050 00
	374 Bridgewater normal school boarding hall, a sum not exceeding eighty-four thousand dollars . . .	84,000 00
	375 Fitchburg normal school, a sum not exceeding one hundred forty-one thousand four hundred and fifty dollars	141,450 00
	376 Fitchburg normal school boarding hall, a sum not exceeding forty-one thousand dollars . . .	41,000 00
	377 For the construction and equipment of a central heating plant at the Fitchburg normal school, a sum not exceeding seventy thousand dollars . . .	70,000 00
	378 Framingham normal school, a sum not exceeding one hundred twenty-four thousand seven hundred dollars	124,700 00
	379 Framingham normal school boarding hall, a sum not exceeding one hundred three thousand dollars	103,000 00

Item		
380	Hyannis normal school, a sum not exceeding forty-two thousand two hundred and seventy dollars	Maintenance of state normal schools.
		\$42,270 00
381	Hyannis normal school boarding hall, a sum not exceeding twenty-nine thousand nine hundred and thirty dollars	
		29,930 00
382	Lowell normal school, a sum not exceeding fifty-nine thousand dollars	
		59,000 00
383	North Adams normal school, a sum not exceeding sixty-one thousand seven hundred and fifty dollars	
		61,750 00
384	North Adams normal school boarding hall, a sum not exceeding twenty thousand six hundred dollars	
		20,600 00
385	Salem normal school, a sum not exceeding one hundred eighteen thousand and fifty dollars	
		118,050 00
386	Westfield normal school, a sum not exceeding sixty-two thousand five hundred and ninety dollars	
		62,590 00
387	Westfield normal school boarding hall, a sum not exceeding twenty-five thousand seven hundred dollars	
		25,700 00
388	Worcester normal school, a sum not exceeding sixty-four thousand seven hundred and ten dollars	
		64,710 00
389	Worcester normal school boarding hall, a sum not exceeding seventy-seven hundred dollars	
		7,700 00
390	Normal art school, a sum not exceeding seventy-three thousand five hundred and twenty-five dollars	
		73,525 00
	Total	\$1,251,025 00
	Textile schools:	
391	For the maintenance of the Bradford Durfee Textile School of Fall River, a sum not exceeding sixty-five thousand six hundred and seventy-five dollars, of which sum ten thousand dollars is to be contributed by the city of Fall River, and the city of Fall River is hereby authorized to raise by taxation the said sum of ten thousand dollars	Bradford Durfee Textile School.
		\$65,675 00
392	For the purchase of six looms with twenty harness dobbies for the Bradford Durfee Textile School of Fall River, a sum not exceeding twelve hundred dollars	
		1,200 00
393	For the maintenance of the Lowell textile school, a sum not exceeding one hundred sixty-nine thousand six hundred dollars, of which sum ten thousand dollars is to be contributed by the city of Lowell, and the city of Lowell is hereby authorized to raise by taxation the said sum of ten thousand dollars	Lowell Textile School.
		169,600 00

	Item	
New Bedford Textile School.	394	For the maintenance of the New Bedford textile school, a sum not exceeding seventy-five thousand two hundred dollars, of which sum ten thousand dollars is to be contributed by the city of New Bedford, and the city of New Bedford is hereby authorized to raise by taxation the said sum of ten thousand dollars . . .
		\$75,200 00
	394½	For the construction of an addition to the present building of the New Bedford textile school, a sum not exceeding fifty thousand dollars, providing said sum shall not be available for expenditure until the city of New Bedford shall have purchased certain land for its site, and said city is hereby authorized to make the purchase and cause the title to said land to be transferred to the commonwealth . . .
		50,000 00
	395	For renovating the toilet room at the New Bedford textile school, a sum not exceeding fifteen hundred dollars . . .
		1,500 00
	Total	\$363,175 00

Service of the Department of Civil Service and Registration.

Department of Civil Service and Registration.	396	For personal services of telephone operator for the department, a sum not exceeding eight hundred and forty dollars . . .	\$840 00
		Division of Civil Service:	
Division of Civil Service.	397	For personal services of the division, a sum not exceeding seventy-nine thousand five hundred dollars . . .	\$79,500 00
	398	For other services and for printing the annual report, and for office supplies and equipment, a sum not exceeding thirty-five thousand dollars . . .	35,000 00
	399	For services and traveling expenses in conducting investigations, as provided by sections thirty-three and thirty-four of chapter thirty-one of the General Laws, a sum not exceeding one thousand dollars . . .	1,000 00
	Total		\$115,500 00
		Division of Registration:	
Division of Registration.	400	For the salary of the director, a sum not exceeding fifteen hundred dollars . . .	\$1,500 00
	401	For expenses of the director, a sum not exceeding twelve hundred and fifty dollars . . .	1,250 00
	Total		\$2,750 00

Item

Board of Registration in Medicine:

402	For services of the members of the board, a sum not exceeding forty-three hundred dollars . . .	\$4,300 00	Board of Registration in Medicine.
403	For services of office assistants, a sum not exceeding eighteen hundred and sixty dollars . . .	1,860 00	
404	For personal services of members of the board and examiners for the registration of chiropodists, a sum not exceeding six hundred dollars . . .	600 00	
405	For services other than personal, including printing of the annual report, traveling expenses, rent of office, office supplies and equipment, a sum not exceeding three thousand dollars . . .	3,000 00	
Total		\$9,760 00	

Board of Dental Examiners:

406	For services of the members of the board and clerical assistance, a sum not exceeding thirty-five hundred dollars	\$3,500 00	Board of Dental Examiners.
407	For other services, including printing the annual report, and for rent, traveling expenses, office supplies and equipment, a sum not exceeding twenty-five hundred dollars	2,500 00	
Total		\$6,000 00	

Board of Registration in Pharmacy:

408	For personal services of members of the board, a sum not exceeding thirty-eight hundred dollars	\$3,800 00	Board of Registration in Pharmacy.
409	For services of the agent and office assistants, a sum not exceeding thirty-eight hundred dollars	3,800 00	
410	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding forty-four hundred dollars	4,400 00	
Total		\$12,000 00	

Board of Registration of Nurses:

411	For services of members of the board, a sum not exceeding twenty-one hundred dollars	\$2,100 00	Board of Registration of Nurses.
412	For services of clerical assistants in their office, a sum not exceeding fifteen hundred dollars	1,500 00	
413	For services other than personal, printing the annual report, office rent, traveling expenses and office supplies and equipment, a sum not exceeding twenty-one hundred and twenty-five dollars	2,125 00	
Total		\$5,725 00	

		Item	
Board of Registration in Embalming.		Board of Registration in Embalming:	
	414	For compensation of members of the board and services of their clerk, a sum not exceeding fourteen hundred dollars	\$1,400 00
	415	For services other than personal, including traveling expenses, supplies and office equipment, a sum not exceeding fifteen hundred dollars	1,500 00
		Total	\$2,900 00
Board of Registration in Optometry.		Board of Registration in Optometry:	
	416	For personal services of members of the board, a sum not exceeding nineteen hundred dollars	\$1,900 00
	417	For clerical services, a sum not exceeding fifty dollars	50 00
	418	For other services, printing the annual report, office supplies and equipment, and traveling expenses of the members of the board, a sum not exceeding seven hundred and fifteen dollars	715 00
		Total	\$2,665 00
Board of Registration in Veterinary Medicine.		Board of Registration in Veterinary Medicine:	
	419	For services of the members of the board and secretary, a sum not exceeding six hundred dollars	\$600 00
	420	For other services, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding four hundred dollars	400 00
		Total	\$1,000 00
State Examiners of Electricians.		State Examiners of Electricians:	
	421	For personal services of the secretary and assistants, a sum not exceeding five thousand and fifty dollars	\$5,050 00
	422	For other expenses, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding three thousand dollars	3,000 00
		Total	\$8,050 00
<i>Service of the Department of Industrial Accidents.</i>			
Department of Industrial Accidents.	423	For personal services of members of the board, secretaries, medical adviser and inspectors, a sum not exceeding fifty-four thousand nine hundred and sixty dollars	\$54,960 00
	424	For personal services of clerks and office assistants, a sum not exceeding seventy thousand five hundred dollars	70,500 00

Item			
425	For expenses of impartial examinations, a sum not exceeding twenty-five thousand dollars	\$25,000 00	Department of Industrial Accidents.
426	For traveling expenses, a sum not exceeding fifty-nine hundred and forty dollars	5,940 00	
427	For other services, printing the annual report, necessary office supplies and equipment, a sum not exceeding eleven thousand three hundred dollars	11,300 00	
	Total	\$167,700 00	

Service of the Department of Labor and Industries.

428	For salary of the commissioner, assistant and associate commissioners, a sum not exceeding twenty thousand five hundred dollars	\$20,500 00	Department of Labor and Industries.
429	For clerical and other assistance to the commissioner, a sum not exceeding forty-five hundred and thirty dollars	4,530 00	
430	For personal services for the inspectional service, a sum not exceeding one hundred thousand seven hundred dollars	100,700 00	
431	For personal services for the statistical service, a sum not exceeding thirty-four thousand three hundred and ten dollars	34,310 00	
432	For clerical and other personal services for the operation of free employment offices, a sum not exceeding forty-five thousand five hundred dollars	45,500 00	
433	For clerical and other assistance for the board of conciliation and arbitration, a sum not exceeding sixteen thousand dollars	16,000 00	
434	For personal services of investigators, clerks and stenographers for the minimum wage service, a sum not exceeding twelve thousand dollars	12,000 00	
435	For compensation and expenses of wage boards, a sum not exceeding thirty-seven hundred and fifty dollars	3,750 00	
436	For personal services for the division of standards, a sum not exceeding twenty thousand six hundred dollars	20,600 00	
437	For personal services of inspectors in surveying lumber, a sum not exceeding thirty-four thousand one hundred and sixty dollars	34,160 00	
438	For traveling expenses of the commissioner, assistant commissioner, associate commissioners and inspectors of labor, a sum not exceeding fifteen thousand four hundred dollars	15,400 00	
439	For services other than personal, printing the annual report, rent of district offices, and office supplies and equipment for the inspectional service, a sum not exceeding thirteen thousand dollars	13,000 00	

Department of Labor and Industries.	Item		
	440	For services other than personal, printing reports and publications, traveling expenses and office supplies and equipment for the statistical service, a sum not exceeding ten thousand five hundred dollars	\$10,500 00
	441	For rent, necessary office supplies and equipment for the free employment offices, a sum not exceeding sixteen thousand six hundred dollars	16,600 00
	442	For other services, printing, traveling expenses and office supplies and equipment for the board of conciliation and arbitration, a sum not exceeding six thousand dollars	6,000 00
	443	For services other than personal, printing, traveling expenses and office supplies and equipment for minimum wage service, a sum not exceeding thirty-five hundred dollars	3,500 00
	444	For other services, printing, traveling expenses and office supplies and equipment for the division of standards, a sum not exceeding eleven thousand six hundred dollars	11,600 00
	445	For travel and expenses of the inspectors for surveying lumber, a sum not exceeding forty-eight hundred and ninety dollars	4,890 00
		Total	\$373,540 00
		Commission on Foreign and Domestic Commerce:	
Commission on Foreign and Domestic Commerce.	446	For personal services of employees of the commission, a sum not exceeding thirty-five hundred dollars	\$3,500 00
	447	For other expenses of the commission, a sum not exceeding fifteen hundred dollars	1,500 00
		Total	\$5,000 00
		<i>Service of the Department of Mental Diseases.</i>	
Department of Mental Diseases.	448	For personal services of the director, officers and employees, a sum not exceeding eighty-two thousand dollars	\$82,000 00
	449	For transportation and medical examination of state paupers under its charge for the present year and previous years, a sum not exceeding fifteen thousand dollars	15,000 00
	450	For the support of insane paupers boarded in families under its charge, or temporarily absent under authority of the same, for the present year and previous years, a sum not exceeding seven thousand dollars	7,000 00

Item		Department of Mental Diseases.
451	For the support of state paupers in the Hospital Cottages for Children, a sum not exceeding eighteen thousand dollars	\$18,000 00
452	For the expenses of an investigation as to the nature, causes, results and treatment of mental diseases and defects, and the publication of the results thereof, a sum not exceeding three thousand dollars	3,000 00
453	For other services, including printing the annual report, traveling and office supplies and equipment, a sum not exceeding eighteen thousand dollars	18,000 00
Total		\$143,000 00

For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:

454	Boston state hospital, a sum not exceeding seven hundred sixteen thousand six hundred dollars	\$716,600 00	Institutions under control of Department of Mental Diseases.
455	(This item omitted.)		
456	For the construction of a veranda, C building, east group, Boston state hospital, a sum not exceeding eight thousand dollars	8,000 00	Boston state hospital.
457	For the construction of a veranda, G building, east group, Boston state hospital, a sum not exceeding five thousand dollars	5,000 00	
458	(This item omitted.)		
459	For the construction of an addition to the bakery, and the purchase of new ovens and equipment at the Boston state hospital, a sum not exceeding thirty-six thousand dollars	36,000 00	
460	For the construction of an addition to the refrigerating room and the purchase of additional machinery at the Boston state hospital, a sum not exceeding twenty-three thousand dollars	23,000 00	
461	(This item omitted.)		
462	Boston psychopathic hospital, a sum not exceeding two hundred nine thousand eight hundred and eighty dollars	209,880 00	Boston psychopathic hospital.
463	Danvers state hospital, a sum not exceeding five hundred forty-three thousand six hundred and sixty-five dollars	543,665 00	Danvers state hospital.
464	For the construction of two sheds in salvage yard at the Danvers state hospital, a sum not exceeding twenty-seven hundred and fifty dollars	2,750 00	
465	Foxborough state hospital, a sum not exceeding two hundred seventy-three thousand nine hundred dollars	273,900 00	Foxborough state hospital.

	Item	
Foxborough state hospital.	466	(This item omitted.)
	467	For the construction of two male ward buildings with service connections and equipment at the Foxborough state hospital, a sum not exceeding two hundred fifty thousand dollars . . . \$250,000 00
	468	For the purchase of engine room equipment for the Foxborough state hospital, a sum not exceeding twenty-four thousand five hundred dollars . . . 24,500 00
	469	For the purchase of certain land and buildings thereon for the Foxborough state hospital, a sum not exceeding forty-five hundred dollars . . . 4,500 00
	470	For furnishings for certain new buildings at the Foxborough state hospital, a sum not exceeding seventy-five hundred dollars . . . 7,500 00
Gardner state colony.	471	Gardner state colony, a sum not exceeding three hundred thirteen thousand one hundred and eleven dollars . . . 313,111 00
	472	For the construction of a hospital building with the necessary service connections and equipment at the Gardner state colony, a sum not exceeding one hundred thirty-four thousand dollars . . . 134,000 00
	473	For extension of the water supply at the Gardner state colony, a sum not exceeding five thousand dollars . . . 5,000 00
	474	For the construction and equipment of a laundry building at the Gardner state colony, a sum not exceeding twenty-three thousand dollars . . . 23,000 00
	475	Grafton state hospital, a sum not exceeding five hundred twenty thousand one hundred dollars . . . 520,100 00
Grafton state hospital.	476	For installing additions to the water distribution system at the Grafton state hospital, a sum not exceeding forty-five thousand dollars . . . 45,000 00
	477	For the construction of a cottage for the steward at the Grafton state hospital, a sum not exceeding five thousand dollars . . . 5,000 00
	478	For the construction of certain barns at the Grafton state hospital, a sum not exceeding fifteen thousand dollars . . . 15,000 00
	479	Massachusetts School for the Feeble-Minded, a sum not exceeding five hundred fifty-nine thousand seven hundred and eighty dollars . . . 559,780 00
Massachusetts School for the Feeble-Minded.	480	For the construction and equipment of a new central heating and power station at the Massachusetts School for the Feeble-Minded, at a cost not exceeding one hundred eighty-five thousand dollars, of which sum one hundred thousand dollars is hereby appropriated in anticipation of a further sum of eighty-five thousand dollars to be appropriated in the fiscal year nineteen hundred and twenty-three . . . 100,000 00

Item		
481	For the construction of additional quarters for employees at the Massachusetts School for the Feeble-Minded, a sum not exceeding twenty-seven thousand dollars	Massachusetts School for the Feeble-Minded. \$27,000 00
482	Medfield state hospital, a sum not exceeding five hundred twenty-seven thousand two hundred and thirty dollars	Medfield state hospital. 527,230 00
483	For the reconstruction and improvement of the central kitchen and dining room unit at the Medfield state hospital, a sum not exceeding ninety-five thousand dollars	95,000 00
484	For the purchase of land and buildings for the Medfield state hospital, a sum not exceeding seven thousand dollars	7,000 00
485	Monson state hospital, a sum not exceeding three hundred sixty-six thousand four hundred and eighty-five dollars	Monson state hospital. 366,485 00
486	For additions and alterations to the farm cottage at the Monson state hospital, a sum not exceeding nine thousand dollars	9,000 00
487	For remodeling a certain building for employees' cottage at the Monson state hospital, a sum not exceeding fifteen hundred dollars	1,500 00
488	For the purchase of a certain cottage and repairs thereto for the Monson state hospital, a sum not exceeding three thousand dollars	3,000 00
489	Northampton state hospital, a sum not exceeding three hundred thirty thousand five hundred and fifty dollars	Northampton state hospital. 330,550 00
490	Taunton state hospital, a sum not exceeding four hundred forty-two thousand six hundred and ninety dollars	Taunton state hospital. 442,690 00
491	For the construction of a dam on Mill river at the Taunton state hospital, a sum not exceeding nine thousand dollars	9,000 00
492	For the extension of a coal trestle and building a coal pocket at the Taunton state hospital, a sum not exceeding twelve thousand dollars	12,000 00
493	Westborough state hospital, a sum not exceeding four hundred ninety-nine thousand six hundred dollars	Westborough state hospital. 499,600 00
494	For the construction and furnishing of a new dining room and kitchen building at the Warren colony, Westborough state hospital, a sum not exceeding fifty-three thousand dollars	53,000 00
495	(This item omitted.)	
496	Worcester state hospital, a sum not exceeding six hundred ninety-two thousand two hundred and eighty-five dollars	Worcester state hospital. 692,285 00
497	Wrentham state school, a sum not exceeding four hundred forty thousand one hundred and fifty dollars	Wrentham state school. 440,150 00

	Item	
Wrentham state school.	498	For the construction of a boys' industrial building, including the necessary service connections and equipment, at the Wrentham state school, a sum not exceeding forty thousand dollars \$40,000 00
	499	(This item omitted.)
Belchertown state school.	500	For the building of three sewer beds at the Wrentham state school, a sum not exceeding seventy-eight hundred dollars 7,800 00
	501	Belchertown state school, a sum not exceeding fifty thousand dollars 50,000 00
	502	For the construction of two dormitory buildings, including the necessary service connections and equipment, at the Belchertown state school, a sum not exceeding one hundred fifty-five thousand dollars 155,000 00
	503	For building two dormitories for employees at the Belchertown state school, a sum not exceeding thirty thousand dollars 30,000 00
	504	For the construction of a service building, including the necessary service connections and equipment, at the Belchertown state school, a sum not exceeding forty thousand dollars 40,000 00
	505	For the construction and equipment of a dairy barn at the Belchertown state school, a sum not exceeding thirty thousand dollars 30,000 00
	506	For the construction and equipment of a house for the superintendent at the Belchertown state school, a sum not exceeding fifteen thousand dollars 15,000 00
	507	For the extension of spur track, and the construction of a trestle and coal pocket at the Belchertown state school, a sum not exceeding twenty-six thousand dollars 26,000 00
	508	For the building of a water tower, payment of land damages and other expenses for the water system, and for certain expenses of a sewerage system at the Belchertown state school, a sum not exceeding sixty-five thousand dollars 65,000 00
	509	For the construction of tunnels, conduits, roads and walks, and for grading, at the Belchertown state school, a sum not exceeding thirty-four thousand dollars 34,000 00
	510	For certain furnishings and equipment at the Belchertown state school, a sum not exceeding fifty thousand dollars 50,000 00
	511	For the purchase of certain parcels of land for the Belchertown state school, a sum not exceeding ten thousand dollars 10,000 00
Total		\$7,893,576 00

Service of the Department of Correction.

Item		Department of Correction.
512	For personal services of the commissioner, deputies and members of the board of parole and advisory board of pardons, a sum not exceeding nineteen thousand dollars	\$19,000 00
513	For personal services of clerks, stenographers and agents, a sum not exceeding forty-one thousand dollars	41,000 00
514	For services other than personal, including printing the annual report, necessary office supplies and equipment, a sum not exceeding sixty-two hundred dollars	6,200 00
515	For traveling expenses of officers and employees of the department when required to travel in the discharge of their duties, a sum not exceeding ten thousand dollars	10,000 00
516	For the removal of prisoners to and from state institutions, a sum not exceeding seven thousand dollars	7,000 00
517	For assistance to prisoners discharged from the state prison, Massachusetts reformatory, prison camp and hospital and state farm, and to discharged female prisoners, a sum not exceeding eleven thousand dollars	11,000 00
518	For services of guards and for the purchase of equipment needed for the employment of prisoners, as defined in chapter one hundred and twenty-nine of the General Acts of nineteen hundred and seventeen, a sum not exceeding seven thousand dollars	7,000 00
519	For the relief of the families or dependents of inmates of state penal institutions, a sum not exceeding five hundred dollars	500 00
Total		\$101,700 00

For the maintenance of the following institutions under the control of the Department of Correction:

520	State farm, a sum not exceeding four hundred eleven thousand six hundred and seventy five dollars	\$411,675 00	Institutions under control of Department of Correction. State farm.
521	(This item omitted.)		
522	State prison, a sum not exceeding two hundred eighty-one thousand dollars	281,000 00	State prison.
523	Prison camp and hospital, a sum not exceeding seventy thousand five hundred dollars	70,500 00	Prison camp and hospital.
524	Massachusetts reformatory, a sum not exceeding three hundred nine thousand one hundred and fifty dollars	309,150 00	Massachusetts reformatory.

	Item	
Reformatory for women.	525	Reformatory for women, a sum not exceeding one hundred fifty-eight thousand and fifty dollars \$158,050 00
	526	For the town of Framingham, according to a contract for sewage disposal at the reformatory for women, the sum of six hundred dollars 600 00
	527	(This item omitted.)
Total		\$1,230,975 00

Service of the Department of Public Welfare.

Department of Public Welfare.	528	For personal services of officers and employees and supervision of homesteads and planning boards, a sum not exceeding twenty-seven thousand four hundred dollars	\$27,400 00
	529	For services other than personal, printing the annual report, traveling expenses, including expenses of auxiliary visitors, office supplies and expenses, and contingent expenses for the supervision of homesteads and planning boards, a sum not exceeding eighty-six hundred dollars	8,600 00
	Total		\$36,000 00

Division of Aid and Relief:

Division of Aid and Relief.	530	For personal services of officers and employees, a sum not exceeding ninety-six thousand dollars	\$96,000 00
	531	For services other than personal, including traveling expenses and office supplies and equipment, a sum not exceeding twenty-two thousand seven hundred dollars	22,700 00
	532	For the transportation of state paupers under the charge of the department, for the present year and previous years, a sum not exceeding sixteen thousand dollars	16,000 00

The following items are for reimbursement of cities and towns:

Reimbursement of cities and towns for pay- ment of certain aid, etc.	533	For the payment of suitable aid to mothers with dependent children, for the present year and previous years, a sum not exceeding eight hundred fifty thousand dollars	\$850,000 00
	534	For the burial of state paupers by cities and towns, for the present year and previous years, a sum not exceeding forty-five hundred dollars	4,500 00
	535	For expenses in connection with smallpox and other diseases dangerous to the public health, for the present year and previous years, a sum not exceeding one hundred thousand dollars	100,000 00

Item		
536	For the support of sick paupers by cities and towns, for the present year and previous years, the same to include cases of wife settlement, a sum not exceeding eighty thousand dollars .	Reimbursement of cities and towns for payment of certain aid, etc. \$80,000 00
537	For temporary aid given to state paupers and shipwrecked seamen by cities and towns, for the present year and previous years, a sum not exceeding four hundred twenty-five thousand dollars	425,000 00
	Total	\$1,594,200 00
Division of Child Guardianship:		
538	For personal services of officers and employees, a sum not exceeding one hundred forty thousand dollars	Division of Child Guardianship. \$140,000 00
539	For services other than personal, office supplies and equipment, a sum not exceeding fifty-five hundred dollars	5,500 00
540	For tuition in the public schools, including transportation to and from school, of children boarded or bound out by the department, a sum not exceeding one hundred twelve thousand dollars	112,000 00
541	For the care and maintenance of indigent and neglected children and juvenile offenders, for the present year and previous years, a sum not exceeding eight hundred twenty thousand dollars	820,000 00
542	For the care, maintenance and transportation of unsettled pauper infants, for the present year and previous years, a sum not exceeding eighty-four thousand five hundred dollars	84,500 00
	Total	\$1,162,000 00
543	(This item omitted.)	
544	(This item omitted.)	
Division of Juvenile Training, Trustees of Massachusetts Training Schools:		
545	For services of the executive secretary and stenographer, a sum not exceeding fifty-six hundred dollars	Trustees of Massachusetts Training Schools. \$5,600 00
546	For services other than personal, including printing the annual report, traveling and other expenses of the members of the board and employees, office supplies and equipment, a sum not exceeding twenty-six hundred dollars	Division of Juvenile Training. 2,600 00

Item		
Boys' Parole:		
Boys' Parole.	547	For personal services of agents in the division for boys paroled and boarded in families, a sum not exceeding twenty-eight thousand three hundred and fifty dollars \$28,350 00
	548	For services other than personal, including traveling expenses of the agents and boys, and necessary office supplies and equipment, a sum not exceeding eighteen thousand two hundred dollars 18,200 00
	549	For board, clothing, medical and other expenses incidental to the care of boys, a sum not exceeding twenty-six thousand five hundred dollars 26,500 00
Girls' Parole:		
Girls' Parole.	550	For personal services of agents in the division for girls paroled from the industrial school for girls, a sum not exceeding twenty-three thousand three hundred and fifty dollars 23,350 00
	551	For traveling expenses of said agents for the girls paroled, for board, medical and other care of girls, and for services other than personal, office supplies and equipment, a sum not exceeding eleven thousand six hundred dollars 11,600 00
	552	For reimbursement of cities and towns for tuition of children attending the public schools, a sum not exceeding twenty-five hundred dollars 2,500 00
Total		\$118,700 00
For the maintenance and certain improvements of the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, as follows:		
Institutions under control of trustees of Massachusetts Training Schools.	553	Industrial school for boys, a sum not exceeding one hundred forty-four thousand six hundred and fifty dollars \$144,650 00
	554	For the construction, including service connections and equipment and furnishings for an infirmary and hospital building at the industrial school for boys, a sum not exceeding forty thousand dollars 40,000 00
Industrial school for boys.		
	555	Industrial school for girls, a sum not exceeding one hundred forty-seven thousand five hundred dollars 147,500 00
Industrial school for girls.	556	For the installation of heating systems for certain cottages at the industrial school for girls, a sum not exceeding eighteen thousand dollars 18,000 00

Item			
557	Lyman school for boys, a sum not exceeding two hundred eighteen thousand eight hundred and twenty-five dollars	\$218,825 00	Lyman school for boys.
558	For the construction, including service connections and equipment and furnishings of a fire-proof kitchen and storehouse building at the Lyman school for boys, a sum not exceeding seventy-five thousand dollars	75,000 00	
Total		<hr/> \$643,975 00	
Massachusetts Hospital School:			
559	For the maintenance of the Massachusetts hospital school, to be expended with the approval of the trustees thereof, a sum not exceeding one hundred fifty-six thousand five hundred and fifty dollars	\$156,550 00	Massachusetts Hospital School.
560	For constructing and furnishing complete a hospital building for state minor wards, a sum not exceeding fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	50,000 00	
Total		<hr/> \$206,550 00	
State Infirmary:			
561	For the maintenance of the state infirmary, to be expended with the approval of the trustees thereof, a sum not exceeding eight hundred fifty-one thousand nine hundred dollars	\$851,900 00	State Infirmary.
562	For the construction, including service connections and equipment and furnishings, of additional hospital accommodations, a sum not exceeding one hundred thousand dollars	100,000 00	
563	For the construction, including service connections and equipment and furnishings, of additional employees' quarters, a sum not exceeding thirty-five thousand dollars	35,000 00	
564	For the construction of an addition to the present administration building to provide waiting-room accommodations, a sum not exceeding forty-nine hundred and forty-four dollars	4,944 00	
Total		<hr/> \$991,844 00	
<i>Service of the Department of Public Health.</i>			
Division of Administration:			
565	For personal services of the commissioner, health council and office assistants, a sum not exceeding nineteen thousand six hundred dollars	\$19,600 00	Department of Public Health. Division of Administration.

	Item		
Division of Administration.	566	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding seventy-five hundred dollars	\$7,500 00
		Division of Hygiene:	
Division of Hygiene.	567	For personal services of the director and assistants, a sum not exceeding twenty-two thousand two hundred dollars	22,200 00
	568	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twenty-one thousand five hundred dollars	21,500 00
		Division of Communicable Diseases:	
Division of Communicable Diseases.	569	For personal services of the director, district health officers and their assistants, epidemiologist, bacteriologist and assistants in the diagnostic laboratory, a sum not exceeding fifty-six thousand seven hundred and seventy dollars	56,770 00
	570	For services other than personal, traveling expenses, laboratory, office and other necessary supplies, including the purchase of animals and equipment, and rent of certain offices, a sum not exceeding twenty-one thousand six hundred dollars	21,600 00
		The appropriations made in the following six items are to be in addition to any federal funds now in the treasury, or hereafter received, which may be used for these purposes:	
		Division of Venereal Diseases:	
Division of Venereal Diseases.	571	For personal services of the division, a sum not exceeding seventy-eight hundred dollars	7,800 00
	572	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding eighteen thousand seven hundred dollars	18,700 00
		Manufacture and Distribution of Arsphenamine:	
Manufacture and Distribution of Arsphenamine.	573	For personal services necessary for the manufacture of arsphenamine or other similar preparations, a sum not exceeding eighty-five hundred and twenty dollars	8,520 00
	574	For the purchase of chemicals and other materials, including equipment and supplies necessary for the preparation and manufacture of arsphenamine, or its equivalent, a sum not exceeding eleven thousand five hundred dollars	11,500 00

Item		
	Wassermann Laboratory:	
575	For personal services of the Wassermann laboratory, a sum not exceeding seventy-five hundred and fifty-seven dollars	\$7,557 00
576	For expenses of the Wassermann laboratory, a sum not exceeding forty-seven hundred dollars	4,700 00
	Antitoxin and Vaccine Lymph:	
577	For personal services in the investigation and production of antitoxin and vaccine lymph and other specific material for protective inoculation, diagnosis of treatment, a sum not exceeding thirty thousand seven hundred dollars	30,700 00
578	For other services, supplies, materials and equipment necessary for the production of antitoxin and other materials as enumerated above, a sum not exceeding twenty-nine thousand four hundred dollars	29,400 00
	Inspection of Food and Drugs:	
579	For personal services of the director, analysts, inspectors and other assistants, a sum not exceeding thirty-one thousand dollars	31,000 00
580	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding eleven thousand dollars	11,000 00
	Water Supply and Disposal of Sewage, Engineering Division:	
581	For personal services of the director, engineers, clerks and other assistants, a sum not exceeding thirty-eight thousand four hundred and sixty dollars	38,460 00
582	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding eighty-six hundred dollars	8,600 00
	Water Supply and Disposal of Sewage, Division of Laboratories:	
583	For personal services of laboratory director, chemists, clerks and other assistants, a sum not exceeding twenty-eight thousand nine hundred dollars	28,900 00
584	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding seventy-five hundred dollars	7,500 00
	State Examiners of Plumbers:	
585	For personal and other services and necessary supplies and equipment for the state examiners of plumbers, a sum not exceeding five thousand dollars	5,000 00

Item			
Penikese Island:			
Penikese Island.	586	For services of a caretaker and other expenses incidental to the care of property on Penikese island, a sum not exceeding fifteen hundred dollars	\$1,500 00
	587	(This item omitted.)	
Total			\$400,007 00
Division of Tuberculosis:			
Division of Tuberculosis.	588	For personal services of the director, stenographers, clerks and other assistants, a sum not exceeding fourteen thousand five hundred dollars	\$14,500 00
	589	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding thirty-five hundred dollars	3,500 00
	590	To cover the payment of certain subsidies for the maintenance of hospitals for tubercular patients, a sum not exceeding one hundred fifty-six thousand five hundred fifty-five dollars and twenty-two cents	156,555 22
	Total		\$174,555 22
For the maintenance and certain improvements of the sanatoria, as follows:			
Sanatoria, maintenance and improvements.	591	For the Lakeville state sanatorium, a sum not exceeding one hundred eighty-eight thousand eight hundred and fifty dollars	\$188,850 00
	592	For the construction of an addition to the chapel and laboratory at the Lakeville state sanatorium, a sum not exceeding ninety-three hundred dollars	9,300 00
North Reading state sanatorium.	593	For the North Reading state sanatorium, a sum not exceeding one hundred forty-nine thousand nine hundred and twenty-five dollars	149,925 00
	594	For additions and improvements in locker rooms and pavilions at the North Reading state sanatorium, a sum not exceeding thirty-nine thousand seven hundred dollars	39,700 00
	595	For repairs and improvements in the insulation of underground mains, a sum not exceeding four thousand dollars	4,000 00
	596	For necessary improvements and the purchase of equipment necessary for the installation of an X-ray outfit, a sum not exceeding forty-three hundred dollars	4,300 00
Rutland state sanatorium.	597	Rutland state sanatorium, a sum not exceeding two hundred eighty-one thousand two hundred dollars	281,200 00

Item		
598	For the construction, including service connections and equipment, of an employees' building, a sum not exceeding fifty-five thousand dollars	Rutland state sanatorium. \$55,000 00
599	Westfield state sanatorium, a sum not exceeding one hundred seventy-seven thousand dollars	Westfield state sanatorium. 177,000 00
	Total	\$909,275 00

Service of the Department of Public Safety.

Administration:

600	For the salary of the commissioner and for personal services of clerks and stenographers, a sum not exceeding thirty-two thousand four hundred and fifty dollars	Department of Public Safety. \$32,450 00
601	For contingent services, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving-picture licenses, as required by law, a sum not exceeding twenty-seven thousand dollars	27,000 00

Division of State Police:

602	For the salaries of officers, a sum not exceeding seventy-one thousand two hundred and twenty dollars	Division of State Police. 71,220 00
603	For traveling expenses of the division, a sum not exceeding twenty-eight thousand dollars	28,000 00
604	For maintenance and operation of the police steamer "Lotis", a sum not exceeding ten thousand dollars	10,000 00
605	For personal services, rent, supplies and equipment necessary in the enforcement of statutes relative to explosives and inflammable fluids and compounds, a sum not exceeding forty-five hundred dollars	4,500 00

Division of Inspections:

606	For the salary of the chief of inspections, a sum not exceeding thirty-six hundred dollars	Division of Inspections. 3,600 00
607	For the salaries of officers for the building inspection service, a sum not exceeding forty-five thousand eight hundred and eighty dollars	45,880 00
608	For traveling expenses of officers for the building inspection service, a sum not exceeding twelve thousand dollars	12,000 00
609	For the salaries of officers for the boiler inspection service, a sum not exceeding sixty-one thousand six hundred and eighty dollars	61,680 00
610	For traveling expenses of officers for the boiler inspection service, a sum not exceeding sixteen thousand dollars	16,000 00

	Item		
Division of Inspections.	611	For services, supplies and equipment necessary for investigations and inspections by the division, a sum not exceeding one thousand dollars	\$1,000 00
Board of Elevator Regulations.	612	Board of Elevator Regulations: For compensation of the board of elevator regulations, a sum not exceeding four hundred and twenty dollars	420 00
	613	For expenses of the board, a sum not exceeding five hundred dollars	500 00
Board of Boiler Rules.	614	Board of Boiler Rules: For personal services of members of the board, a sum not exceeding one thousand dollars	1,000 00
	615	For services other than personal and the necessary traveling expenses of the board, office supplies and equipment, a sum not exceeding six hundred dollars	600 00
		Total	\$315,850 00
		Fire Prevention District Service (the maintenance of this service, as provided in the following appropriations, is to be assessed upon certain cities and towns making up the fire prevention district, as provided by law):	
Fire Prevention District Service.	616	For the salary of the state fire marshal, a sum not exceeding thirty-six hundred dollars	\$3,600 00
State fire marshal.	617	For other personal services, a sum not exceeding fifteen thousand eight hundred and ten dollars	15,810 00
	618	For other services, office rent and necessary office supplies and equipment, a sum not exceeding four thousand dollars	4,000 00
		Total	\$23,410 00
State Boxing Commission.	619	State Boxing Commission: For compensation and clerical assistance for the state boxing commission, a sum not exceeding ten thousand two hundred and eighty dollars	\$10,280 00
	620	For other expenses of the commission, a sum not exceeding twelve thousand two hundred and forty dollars	12,240 00
		Total	\$22,520 00
State Police Patrol.	621	State Police Patrol: For personal services, a sum not exceeding sixty-five thousand three hundred and ninety dollars	\$65,390 00
	622	For other services and expenses, a sum not exceeding ninety-three thousand dollars	93,000 00
		Total	\$158,390 00

Service of the Department of Public Works.

Item		Department of Public Works.
623	For the salaries of the commissioner and the four associate commissioners, a sum not exceeding thirty-one thousand five hundred dollars . . .	\$31,500 00
624	For personal services of clerks and assistants to the commissioner, a sum not exceeding twelve thousand six hundred dollars . . .	12,600 00
625	For traveling expenses of the commissioner, a sum not exceeding fifteen hundred dollars . . .	1,500 00
	Total	\$45,600 00

Division of Highways (the following appropriations for the operation and maintenance of this division, except as otherwise provided, are made from the receipts in the Motor Vehicle Fees Fund):

		Division of Highways.
626	For the personal services of the chief engineer, engineers and office assistants, including certain clerks and stenographers, a sum not exceeding fifty-four thousand five hundred dollars . . .	\$54,500 00
627	For traveling expenses of the associate commissioners, when traveling in the discharge of their official duties, a sum not exceeding twenty-five hundred dollars . . .	2,500 00
628	For services other than personal, including printing the annual report and necessary office supplies and equipment, a sum not exceeding thirteen thousand five hundred dollars . . .	13,500 00
629	For the care, repair and storage, replacement and purchase of road-building machinery and tools, a sum not exceeding three hundred fifty thousand dollars . . .	350,000 00
630	For the suppression of gypsy and brown tail moths on state highways, a sum not exceeding fifteen thousand dollars . . .	15,000 00
631	For the construction and repair of town and county ways, a sum not exceeding six hundred seventy-five thousand dollars . . .	675,000 00
632	For aiding towns in the repair and improvement of public ways, a sum not exceeding five hundred twenty-five thousand dollars . . .	525,000 00
633	For the maintenance and repair of state highways, a sum not exceeding two million two hundred thousand dollars, of which sum three hundred seventy-two thousand three hundred forty-nine dollars and thirty-seven cents represents the receipt from assessments upon certain cities and towns for the maintenance of state highways, and the balance from receipts in the Motor Vehicle Fees Fund . . .	2,200,000 00

	Item		
Division of Highways.	634	For the maintenance and operation of the Newburyport bridge and the Brightman street bridge in Fall River, in accordance with the provisions of existing laws, a sum not exceeding twenty thousand dollars	\$20,000 00
		Total	\$3,855,500 00
		Registration of Motor Vehicles:	
Registration of Motor Vehicles.	635	For personal services, a sum not exceeding three hundred forty-five thousand dollars, from receipts in the Motor Vehicle Fees Fund	\$345,000 00
	636	For services other than personal, including traveling expenses, purchase of necessary supplies, equipment and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners of motor vehicles, a sum not exceeding three hundred nine thousand dollars from receipts in the Motor Vehicle Fees Fund	309,000 00
		Total	\$654,000 00
		State Highways:	
Federal aid for construction of highways.	637	For the purpose of enabling the department of public works to secure federal aid for the construction of highways, a sum not exceeding one million eight hundred thousand dollars in addition to any other funds which the department has available for the purpose; of the said sum one million five hundred thousand dollars shall be payable from receipts in the Motor Vehicle Fees Fund, and the balance from receipts from counties for assessments on highways previously constructed, or from the general fund	\$1,800,000 00
Care of snow on highways.	638	For the care of snow on highways, as provided by section eleven of chapter eighty-four of the General Laws, a sum not exceeding fifty thousand dollars, from receipts in the Motor Vehicle Fees Fund	50,000 00
		Advertising signs:	
Advertising signs.	639	For administering the law relative to advertising signs near highways, a sum not exceeding fifteen thousand dollars, to be paid from the general fund	15,000 00
		Total	\$1,865,000 00

Item

Special Improvement:

- | | | | |
|-----|--|--------------|---|
| 640 | For completing the construction of certain highways in the five western counties, as authorized by and subject to the conditions of chapter five hundred and seventy-two of the acts of nineteen hundred and twenty, a sum not exceeding six hundred thousand dollars, the same to be in addition to any sum heretofore appropriated for the purpose | \$600,000 00 | Special improvement of highways in five western counties. |
|-----|--|--------------|---|

Division of Waterways and Public Lands:

- | | | | |
|-----|--|-------------|---|
| 641 | For personal services of the chief engineer and assistants, a sum not exceeding fifty-two thousand dollars | \$52,000 00 | Division of Waterways and Public Lands. |
| 642 | For necessary traveling expenses of the associate commissioners, a sum not exceeding one thousand dollars | 1,000 00 | |
| 643 | For services other than personal, including printing and binding the annual report, and for necessary office and engineering supplies and equipment, a sum not exceeding six thousand dollars | 6,000 00 | |
| 644 | For the care and maintenance of the province lands, a sum not exceeding five thousand dollars | 5,000 00 | |
| 645 | For the maintenance of structures, and for repairing damages along the coast line or river banks of the commonwealth, and for the removal of wrecks and other obstructions from tidewaters and great ponds, a sum not exceeding twenty-five thousand dollars | 25,000 00 | |
| 646 | For the improvement, development and protection of rivers and harbors, tidewaters and foreshores within the commonwealth, as provided by chapter two hundred and thirty-one of the General Acts of nineteen hundred and nineteen, and of great ponds, a sum not exceeding two hundred fifty thousand dollars | 250,000 00 | |
| 647 | For re-establishing and permanently marking certain triangular points and sections, as required by order of the land court in accordance with section thirty-three of chapter ninety-one of the General Laws, a sum not exceeding one thousand dollars | 1,000 00 | |
| 648 | For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, a sum not exceeding eighty-eight thousand dollars | 88,000 00 | |

	Item	
Division of Waterways and Public Lands.	649	For the maintenance of pier one, at East Boston, a sum not exceeding eleven thousand dollars . \$11,000 00
	650	For the maintenance and improvement of commonwealth property under the control of the division, a sum not exceeding fifty thousand dollars . 50,000 00
	651	For the operation and maintenance of the New Bedford state pier, a sum not exceeding six thousand dollars . 6,000 00
	652	For the compensation of dumping inspectors, a sum not exceeding three thousand dollars, to be paid from the Waterways Fund . 3,000 00
	653	For the inspection of state monuments, a sum not exceeding nine hundred twenty-one dollars and thirty-eight cents . 921 38
	654	For continuing the work in gauging the flow of water in the streams of the commonwealth, a sum not exceeding three thousand dollars . 3,000 00
	Total	\$501,921 38

Certain ex- penses, etc., to be paid from port of Boston receipts.	655	For expenses on account of the dry dock arbitration board, a sum not exceeding twenty-two hundred and fifty dollars, to be paid from the port of Boston receipts . \$2,250 00
	656	For expenses of dredging channels and filling marsh lands, a sum not exceeding three hundred thousand dollars, to be paid from the port of Boston receipts or ordinary revenue . 300,000 00
	657	For the extension of the East Boston bulkhead, a sum not exceeding one hundred thousand dollars, to be paid from the port of Boston receipts 100,000 00
	658	For dredging minor channels in Boston harbor, a sum not exceeding fifty thousand dollars, to be paid from the port of Boston receipts . 50,000 00
	659	For making rail connections in East Boston, a sum not exceeding eighty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to be paid from the port of Boston receipts . 80,000 00
	Total	\$532,250 00

Service of the Department of Public Utilities.

Department of Public Utilities.	660	For personal services of the commissioners, a sum not exceeding thirty-six thousand dollars, of which one half shall be assessed upon the gas and electric light companies in accordance with the provisions of law . \$36,000 00
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Item		Department of Public Utilities.
661	For personal services of secretaries, employees of the accounting department, engineering department and rate and tariff department, a sum not exceeding thirty-two thousand dollars, of which sum ninety-six hundred and fifty dollars shall be assessed upon the gas and electric light companies in accordance with the provisions of law	\$32,000 00
662	For the inspection department, personal services, a sum not exceeding thirty-two thousand nine hundred dollars	32,900 00
663	For personal services of clerks, messengers and office assistants, a sum not exceeding ten thousand seven hundred dollars, of which one half shall be assessed upon the gas and electric light companies in accordance with the provisions of law	10,700 00
664	For personal services of the telephone and telegraph division, a sum not exceeding eleven thousand five hundred dollars	11,500 00
665	For personal services and expenses of legal assistants and experts, a sum not exceeding two thousand dollars	2,000 00
666	For stenographic reports of hearings, a sum not exceeding two thousand dollars	2,000 00
667	For traveling expenses of the commissioners and employees, a sum not exceeding five thousand dollars	5,000 00
668	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding seven thousand dollars	7,000 00
669	For stenographic reports of evidence at inquests held in cases of death by accident on or about railroads, a sum not exceeding three thousand dollars	3,000 00
Total		\$142,100 00

The following items are to be assessed upon the gas and electric light companies:

670	For personal services of the inspector of gas and gas meters, assistant inspectors and deputy inspectors of meters, a sum not exceeding eighteen thousand four hundred dollars	\$18,400 00	Items to be assessed upon gas and electric light companies.
671	For expenses of inspectors and deputies, including office rent, traveling and other necessary expenses of inspection, a sum not exceeding seven thousand dollars	7,000 00	
672	For services and expenses of expert assistants, as authorized by law, a sum not exceeding five thousand dollars	5,000 00	

Items to be assessed upon gas and electric light companies.	Item		
	673	For other services, printing the annual report, for rent of offices and for necessary office supplies and equipment, a sum not exceeding twelve thousand eight hundred dollars . . .	\$12,800 00
	674	For the examination and tests of electric meters, a sum not exceeding six hundred dollars . . .	600 00
	Total		\$43,800 00

Smoke Abatement:

Smoke abatement in Boston and vicinity.	675	For services and expenses in connection with the abatement of smoke in Boston and vicinity, under the direction and with the approval of the department of public utilities, a sum not exceeding eight thousand dollars, the same to be assessed upon the cities and towns of the district named in section one of chapter six hundred and fifty-one of the acts of nineteen hundred and ten	\$8,000 00
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Sale of Securities:

Administration of law relative to sale of securities.	676	For personal services in administering the law relative to the sale of securities, a sum not exceeding fourteen thousand seven hundred dollars	14,700 00
	677	For expenses other than personal in administering the law relative to the sale of securities, a sum not exceeding ninety-three hundred dollars	9,300 00
	Total		\$24,000 00

Miscellaneous.

Bunker Hill monument and adjacent property, maintenance and improvements.	678	For the maintenance of Bunker Hill monument and the property adjacent, to be expended by the metropolitan district commission, a sum not exceeding ten thousand dollars	\$10,000 00
	678½	For improvements at the Bunker Hill monument and the property adjacent, to be expended by the metropolitan district commission, a sum not exceeding ten thousand dollars	10,000 00
	Total		\$20,000 00

Metropolitan District Commission.

The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the Metropolitan District Commission:

Metropolitan District Commission.	679	For maintenance of the Charles river basin, a sum not exceeding one hundred seventy-nine thousand two hundred dollars	\$179,200 00
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Item		Metropolitan District Commission.
680	For maintenance of park reservations, a sum not exceeding six hundred ninety-nine thousand eight hundred three dollars and twenty-five cents	\$699,803 25
681	For the expense of holding band concerts, a sum not exceeding twenty thousand dollars	20,000 00
682	(This item omitted.)	
683	For maintenance of the Nantasket beach reservation, a sum not exceeding seventy-five thousand five hundred dollars	75,500 00
684	For maintenance of the Cambridge parkway, a sum not exceeding fifty-one thousand five hundred dollars, same to be paid from the Metropolitan Parks Maintenance Fund	51,500 00
685	For the construction of a sanitary at Magazine beach, a sum not exceeding fifteen thousand dollars, same to be paid from the Metropolitan Parks Maintenance Fund	15,000 00
686	For maintenance of the Wellington bridge, a sum not exceeding eleven thousand two hundred and fifty dollars, the same to be in addition to the amount appropriated from the general fund	11,250 00
687	For maintenance of boulevards and parkways, a sum not exceeding two hundred six thousand five hundred dollars, the same to be in addition to the amount appropriated from the general fund	206,500 00
688	(This item omitted.)	
689	For the purchase of certain road-building machinery and equipment, a sum not exceeding eight thousand dollars, of which amount four thousand dollars shall be assessed upon the district as a part of the assessment for metropolitan boulevards maintenance, and the balance is appropriated in item two hundred and twenty-seven	4,000 00
690	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, a sum not exceeding three hundred fifteen thousand eight hundred dollars	315,800 00
691	For the maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, a sum not exceeding one hundred eighty-eight thousand seven hundred dollars	188,700 00
692	For the maintenance and operation of the metropolitan water system, a sum not exceeding seven hundred eighty-four thousand eight hundred dollars	784,800 00
Total		\$2,552,053 25

DEFICIENCIES.

Item		
Deficiencies.	For deficiencies in certain appropriations of previous years, in certain items, as follows:	
	<i>Legislative Department.</i>	
Legislative Department.	For stationery for the house of representatives, the sum of one hundred forty-four dollars . . .	\$144 00
	For expenses of a recess committee to continue the investigation of matters relative to county government, the sum of eighty-six dollars and twelve cents	86 12
	<i>Judicial Department.</i>	
Judicial Department.	Superior Court:	
Superior Court.	For traveling allowances and expenses, the sum of one hundred fourteen dollars and twenty-nine cents	114 29
	Land Court:	
Land Court.	For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, the sum of one hundred one dollars and six cents	101 06
	<i>Reorganized Militia.</i>	
Reorganized Militia.	For compensation, transportation and expenses in the preparation for camp duty or maneuvers, the sum of seventy-seven hundred twenty-nine dollars and seventy cents . . .	7,729 70
	<i>Chief Surgeon.</i>	
Chief Surgeon.	For examination of recruits, the sum of three hundred thirty-seven dollars and eighty-five cents	337 85
	<i>Department of the Secretary of the Commonwealth.</i>	
Secretary of the Commonwealth.	For services other than personal, traveling expenses, office supplies and equipment, the sum of fourteen hundred eight dollars and seventy cents	1,408 70
	For printing and binding public documents, the sum of twenty-nine hundred twenty-three dollars and fifty-nine cents	2,923 59
	<i>Attorney General.</i>	
Attorney General.	For the compensation of assistants in his office, and for such other legal and personal services as may be required, the sum of six hundred seventy dollars and sixty cents	670 60

Item

For services other than personal, traveling expenses, office supplies and equipment, the sum of two hundred eighty dollars and thirty-two cents	Attorney General.	\$280 32
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Division of Animal Industry.

For services other than personal, including printing the annual report, traveling expenses of the director, and office supplies and equipment, the sum of six dollars and seventy cents	Division of Animal Industry.	6 70
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Department of Banking and Insurance.

For examinations and registration of public accountants, including personal services of examiners, other services and necessary supplies and equipment, the sum of twenty-seven hundred and seventy dollars	Department of Banking and Insurance. Examination, etc., of public accountants.	2,770 00
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Division of Insurance:

For other services, including printing the annual report, traveling expenses, and necessary office supplies and equipment, the sum of thirty-one hundred seventeen dollars and thirty-three cents	Division of Insurance.	3,117 33
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Department of Education.

English Speaking Classes for Adults:

For other expenses of administration, the sum of two hundred sixty-five dollars and forty-eight cents	Department of Education.	265 48
For printing school registers and other school blanks for cities and towns, the sum of three hundred sixty-five dollars and fifty-one cents		365 51
For expenses incidental to furnishing school committees with rules for testing the sight and hearing of pupils, the sum of one hundred sixty-four dollars and thirty-six cents		164 36
For the reimbursement of certain towns for the payment of tuition of children attending high schools outside the towns in which they reside, the sum of eighty-eight hundred twenty-three dollars and seventy-five cents		8,823 75
For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, the sum of eleven thousand one hundred eighty-seven dollars and forty cents		11,187 40

Item		<i>Department of Civil Service and Registration.</i>	
Department of Civil Service and Registration.	Board of Registration in Embalming:		
	For compensation of members of the board and services of their clerk, the sum of sixteen dollars and fifty-eight cents		\$16 58
	Board of Registration in Embalming.		
	Board of Registration in Pharmacy:		
	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, the sum of three hundred sixty-four dollars and eighty-two cents		364 82
<i>Department of Industrial Accidents.</i>			
Department of Industrial Accidents.	For expenses of impartial examinations, the sum of eight hundred twenty-four dollars and eighty-four cents		824 84
<i>Department of Public Safety.</i>			
Department of Public Safety.	For the maintenance and operation of the police steamer "Lotis", the sum of fifteen dollars and six cents		15 06
<i>Department of Public Works.</i>			
Department of Public Works.	Division of Waterways and Public Lands:		
	For the supervision and operation of commonwealth pier five, the sum of one hundred sixty-two dollars and twenty cents		162 20
<i>Department of Public Utilities.</i>			
Department of Public Utilities.	For stenographic reports of hearings, the sum of three hundred twenty dollars and fifty-three cents		320 53
	For other services of the gas and electric light division, including printing the annual report, rent of offices, and necessary office supplies and equipment, the sum of four hundred fifty-four dollars and ten cents, to be paid from the gas and electric light assessment fund		454 10
	Total		\$42,654 89
Reappropriations.	Unexpended balances of appropriations made in previous years are hereby reappropriated for the purposes as originally specified:		
<i>Department of Mental Diseases.</i>			
Department of Mental Diseases.	Foxborough State Hospital:		
	For construction of filter bed for sewage disposal, the sum of thirty-nine hundred six dollars and forty-four cents		\$3,906 44

Item

Grafton State Hospital:

For an additional water supply, the sum of ninety-seven thousand four hundred twenty-one dollars and eighty-five cents	\$97,421 85	Grafton State Hospital.
For hydrotherapeutic equipment, the sum of five hundred seventeen dollars and seventy-eight cents	517 78	
For additional fire protection, the sum of one thousand thirty-nine dollars and fifty cents	1,039 50	

Medfield State Hospital:

For repairing beds for sewage disposal, the sum of twelve thousand eight hundred forty-one dollars and sixty-nine cents	12,841 69	Medfield State Hospital.
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Westborough State Hospital:

For renovation of wards two and five, the sum of four hundred seventy-six dollars and thirty-four cents	476 34	Westborough State Hospital.
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Worcester State Hospital:

For remodeling heating systems, the sum of thirty-one hundred fourteen dollars and twenty-four cents	3,114 24	Worcester State Hospital.
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Wrentham State School:

For the purchase of land, the sum of two hundred and thirty dollars	230 00	Wrentham State School.
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Belchertown State School:

For the construction of certain buildings, the sum of twelve thousand thirty-nine dollars and twenty-eight cents	12,039 28	Belchertown State School. °
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Department of Public Works.

Division of Waterways and Public Lands:

For railroad track connections and certain roadways at South Boston, the sum of one hundred thirty-one thousand dollars	131,000 00	Department of Public Works. Division of Waterways and Public Lands.
For certain improvements at Hayward's creek, the sum of thirty thousand five hundred ninety-six dollars and twenty-two cents	30,596 22	

Total \$293,183 34

General Fund \$41,951,615 60
Metropolitan District 2,562,053 25

Grand Total \$44,513,668 85

SECTION 3. No payment shall be made or obligation incurred under the authority of an appropriation made for construction of public buildings under this act in cases where No payment to be made which exceeds allotment of expenditure made

for certain purposes.

the bid for contracts, proposed for acceptance, exceeds the allotment of expenditure upon which the appropriation is based.

Written approval of governor and council required for certain expenditures.

SECTION 4. No expenditures in excess of appropriations provided for under this act shall be incurred by any department or institution, except in cases of emergency, and then only upon the prior written approval of the governor and council.

Supervisor of administration to send copies of two foregoing sections to heads of departments, etc.

SECTION 5. The supervisor of administration is hereby directed to send a copy of the two foregoing sections to each departmental, divisional and institutional head immediately following the passage of this act.

SECTION 6. This act shall take effect upon its passage.

Approved March 8, 1922.

Chap.130 AN ACT REDUCING THE PENALTY FOR OPERATING CERTAIN MOTOR VEHICLES WITHOUT MIRRORS.

Be it enacted, etc., as follows:

G. L. 90, § 20, amended.

Section twenty of chapter ninety of the General Laws is hereby amended by striking out, in the tenth and eleventh lines, the words "operating a motor vehicle without a mirror, as required by section seven, for", so as to read as follows:—

Penalties and punishments for violations of motor vehicle laws.

Section 20. Any person convicted of a violation of any provision of this chapter the punishment for which is not otherwise provided, or of a violation of any rule or regulation of the registrar made under authority of section thirty-one, or of a violation of a special speed regulation lawfully made under authority of section eighteen, shall be punished by a fine of not more than twenty-five dollars for the first offence, not less than twenty-five nor more than fifty dollars for a second offence, and not less than fifty nor more than one hundred dollars for subsequent offences committed during any period of twelve months; provided, that any person convicted of using a spot light, as prohibited by section sixteen, shall be punished by a fine of not less than twenty nor more than one hundred dollars, and that any person convicted of operating a motor vehicle or trailer in violation of the preceding section or of the terms of any permit granted thereunder shall be punished by a fine of not more than one hundred dollars. A complaint against a person for the violation of section eleven or seventeen or of a regulation made under section eighteen may be placed on file at the discretion of the court or trial justice if the violation appears to have

Proviso.

Placing on file of certain complaints.

been unintentional or if no person or property could have been endangered thereby. Upon a third or subsequent conviction in the same year of a violation of section seventeen or of a regulation made under section eighteen the registrar shall forthwith revoke the license of the person so convicted, and no new license shall be issued to such person for at least thirty days after the date of such conviction, nor thereafter except in the discretion of the registrar.

Revocation of license, etc.

Approved March 8, 1922.

AN ACT RELATIVE TO SPECIAL POLICE OFFICERS IN THE TOWN OF WATERTOWN. Chap.131

Be it enacted, etc., as follows:

SECTION 1. The town of Watertown is hereby authorized through its selectmen to appoint from time to time, for a term not exceeding one year, but removable at the pleasure of the selectmen, police officers to be known as special police officers, who shall have all the powers, immunities and privileges of the regular or permanent police officers in cities and towns except as herein otherwise provided and shall receive such compensation as the selectmen may determine.

Town of Watertown may appoint special police officers.

SECTION 2. The said special police officers shall not be subject to or have the benefit of any of the provisions of chapter thirty-one of the General Laws relating to civil service, or any rule or regulation made thereunder, or of chapter thirty-two of the General Laws relating to retirement systems and pensions, or any rule or regulation made thereunder.

Not to be subject to civil service or retirement laws, etc.

SECTION 3. The provisions of any special law or laws hitherto enacted relating to the police of said town shall in no way limit or constitute an abridgement of the powers and authority granted under this act. *Approved March 8, 1922.*

Special laws, etc., not to limit powers, etc.

AN ACT REVIVING CERTAIN CORPORATIONS.

Chap.132

Whereas, The deferred operation of this act would cause inconvenience and expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. The Glades Association, a corporation whose charter expired March twenty-second, nineteen hundred and

Glades Association revived.

sixteen, by virtue of chapter one hundred and eighty-eight of the acts of nineteen hundred and six, is hereby revived with the same powers, duties and obligations as if the period mentioned in said chapter had not expired, and shall be and remain a body corporate for the period of fifty years after the said date of expiration; and all acts and proceedings of the stockholders, directors and officers acting as such which would be legal and valid but for the expiration of said charter are hereby ratified and confirmed.

Certain other corporations revived.

SECTION 2. The following named corporations, which were dissolved by the chapters set opposite their respective names, are hereby revived with the same powers, duties and obligations as if the said chapters had not been passed.

NAME.	Dissolved by —
F. B. Taylor and Son, Incorporated .	Chapter one hundred and twelve, Special Acts of nineteen hundred and sixteen.
The Lynn Hebrew Ladies' Helping-Hand Society.	Chapter one hundred and fifty-seven, Special Acts of nineteen hundred and seventeen.
Carolina Industrial School . . .	
Gibson Game Company . . .	Chapter one hundred and nine, Special Acts of nineteen hundred and eighteen.
T. H. Jones Shoe Company . .	Chapter one hundred and eleven, Special Acts of nineteen hundred and nineteen.
J. R. Whipple Company . . .	Chapter two hundred and twelve, acts of nineteen hundred and twenty.
Holyoke Hotel Company . . .	
Aberdeen Realty Corporation .	Chapter two hundred and forty-three, acts of nineteen hundred and twenty-one.
Square Deal Publishing Company }	

Approved March 10, 1922.

Chap.133 AN ACT RELATIVE TO THE PUBLISHING OF LISTS OF OFFICIALS AND EMPLOYEES OF THE CITY OF BOSTON AND COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

1909, 486, § 27, etc., amended.

SECTION 1. Section twenty-seven of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by section one of chapter one hundred and sixty-eight of the Special Acts of nineteen hundred and nineteen, is hereby further amended by inserting after the words “pay rolls” in the twelfth line the words: — and to keep a copy of said lists open for public inspection, — and also by

adding at the end thereof the words: — in the year nineteen hundred and twenty-three and every two years thereafter, — so as to read as follows: — *Section 27.* Every officer and board in charge of a department of the city of Boston or county of Suffolk shall on or before the sixth day of June in each year prepare and furnish to the city auditor a list of the officials and employees under said officer or board and paid by the city or county on the first day of June preceding. Such lists shall give the names, residence by street and ward, designation, compensation, and date of election or appointment of each of said officials and employees and the date when each first entered the employ of the city or county. It shall be the duty of the city auditor to verify said lists by the pay rolls and to keep a copy of said lists open for public inspection; and when verified the said lists shall be printed by the superintendent of printing as a city document in the year nineteen hundred and twenty-three and every two years thereafter.

Publishing of lists of officials and employees of city of Boston and county of Suffolk.

SECTION 2. This act shall take effect upon its passage.

Approved March 10, 1922.

AN ACT RELATIVE TO THE PENSIONS PAYABLE TO RETIRED EMPLOYEES OF THE BOSTON PROTECTIVE DEPARTMENT.

Chap. 134

Be it enacted, etc., as follows:

Section one of chapter two hundred and thirty-three of the acts of nineteen hundred and four is hereby amended by striking out all after the word "than" in the tenth line and inserting in place thereof the following: — twenty-five consecutive years and who is fifty-five years of age or over. In case of permanent incapacity from injuries received in the actual performance of duty, the annual pension shall be an amount not exceeding two thirds of the compensation which the injured employee was receiving at the time of his retirement, except that a member of the auxiliary force shall receive an amount not exceeding two thirds of the compensation payable in the regular fifth grade. The compensation of employees who are retired after having served twenty-five or more years, as aforesaid, and after reaching the age of fifty-five years, shall be an amount not exceeding one half of their compensation at the time of retirement, — so as to read as follows: — *Section 1.* The board of directors of the Boston Protective Department, by a majority vote, shall have authority to retire and place upon a pension roll any employee

1904, 233, § 1, amended.

Boston Protective Department may retire and pension employees, etc.

of the department who is certified in writing by the medical officer of the department to be permanently incapacitated, either mentally or physically, from performing his duties as such employee by reason of injuries received in the actual performance of duty; or any employee who has performed faithful service in the department for not less than twenty-five consecutive years and who is fifty-five years of age or over. In case of permanent incapacity from injuries received in the actual performance of duty, the annual pension shall be an amount not exceeding two thirds of the compensation which the injured employee was receiving at the time of his retirement, except that a member of the auxiliary force shall receive an amount not exceeding two thirds of the compensation payable in the regular fifth grade. The compensation of employees who are retired after having served twenty-five or more years, as aforesaid, and after reaching the age of fifty-five years, shall be an amount not exceeding one half of their compensation at the time of retirement.

Approved March 10, 1922.

Chap.135 AN ACT REQUIRING NOTIFICATION TO THE ASSESSORS BY CERTAIN CITY AND TOWN OFFICIALS OF THE RECEIPTS OF THE PRECEDING YEAR.

Be it enacted, etc., as follows:

G. L. 41, new section after § 54.

Certain city and town officials to notify assessors of receipts of preceding year.

Chapter forty-one of the General Laws is hereby amended by inserting after section fifty-four the following new section: — *Section 54A.* The auditor or similar officer in cities and the town accountant, if any, otherwise the town treasurer in towns, shall notify the assessors, not later than May first in each year, of the total receipts of the preceding financial year, except from taxes, loans and trust funds, and shall specify in detail the source of such receipts.

Approved March 10, 1922.

Chap.136 AN ACT RELATIVE TO THE BAR ASSOCIATION OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1886, 22, § 2, amended.

Section two of chapter twenty-two of the acts of eighteen hundred and eighty-six is hereby amended by inserting after the word "by", in the second line, the word: — erection, — and by inserting after the word "corporation", in the third line, the words: — with authority to sell, lease or rent the same or any part thereof, — and by striking out, in the

thirteenth line, the words "five hundred thousand" and inserting in place thereof the words: — one million, — so as to read as follows: — *Section 2.* Said corporation shall have power to acquire, by erection, lease or purchase, a suitable building, library, and furniture for the use of the corporation with authority to sell, lease or rent the same or any part thereof; to borrow money for such purposes and issue bonds therefor, and to secure the same by mortgage; and generally to acquire and take by purchase, gift, devise, bequest, subject to the provisions of law relating to devises and bequests by last will and testament, or otherwise, and to hold, transfer and convey all or any such real or personal property as may be necessary for attaining the objects and carrying into effect the purposes of such corporation: *provided*, it shall not hold any real estate the value of which shall exceed in the aggregate one million dollars.

The Bar Association of the City of Boston may acquire, sell, etc., real and personal property.

Proviso.

Approved March 10, 1922.

AN ACT PROVIDING FOR CERTAIN REQUIREMENTS IN CASE OF THE TRANSFER OF POSSESSION OF BOVINE ANIMALS WHICH HAVE REACTED TO A TUBERCULIN TEST.

Chap.137

Be it enacted, etc., as follows:

Chapter one hundred and twenty-nine of the General Laws is hereby amended by inserting after section thirty-three the following new section: — *Section 33A.* Any bovine animal to which a tuberculin test has been applied may be marked for identification by the insertion into its external ear of a metal tag provided by the director. Any person who sells, exchanges or otherwise disposes of an animal which to his knowledge has reacted to a tuberculin test shall, at the time said reacting animal leaves his possession, furnish the new owner or person into whose charge the animal is transferred with a true copy of the record of said test or a written statement of the fact of such reaction, signed by him and witnessed. Failure to comply with any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

G. L. 129, new section after § 33. Requirements in case of transfer of possession of bovine animals which have reacted to a tuberculin test.

Penalty.

Approved March 10, 1922.

AN ACT AUTHORIZING THE COUNTY OF HAMPDEN TO PENSION GEORGE LEONARD.

Chap.138

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Hampden may retire George Leonard, for thirty-eight years

County of Hampden may pension George Leonard,

clerk of the district court of Springfield and now seventy-two years of age, on an annual pension equal to one half the annual compensation received by him in said capacity at the time of his retirement, payable by said county in monthly instalments.

To be submitted to county commissioners, etc.

SECTION 2. This act shall take effect upon its acceptance prior to December thirty-first in the current year by the county commissioners of the county of Hampden.

Approved March 10, 1922.

Chap.139 AN ACT AUTHORIZING THE CITY OF WOBURN TO PENSION
ROBERT T. SPENCER.

Be it enacted, etc., as follows:

City of Woburn may pension Robert T. Spencer.

SECTION 1. The city of Woburn may pay to Robert T. Spencer, who after a service of more than thirty years as an employee in its water department retired in nineteen hundred and twenty on account of disability, an annual pension for the remainder of his life equal to one half the annual compensation paid him at the time of his retirement.

To be submitted to city council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 10, 1922.

Chap.140 AN ACT PROVIDING FOR A PRELIMINARY ELECTION FOR
THE CHOICE OF MUNICIPAL OFFICERS IN THE CITY OF
BEVERLY.

Be it enacted, etc., as follows:

Preliminary elections for choice of municipal officers in city of Beverly.

SECTION 1. On the third Tuesday preceding every municipal election in the city of Beverly at which any elective municipal office is to be filled, except as is otherwise provided in section eight, there shall be held a preliminary election for the purpose of nominating candidates therefor. The municipal election in the current year shall be held on the third Tuesday in December. No special election for mayor or any other officer shall be held until after the expiration of forty days from the calling of a preliminary election, except as is otherwise provided herein. At every annual, preliminary and special election the polls shall be opened at six o'clock in the forenoon, and shall remain open until four o'clock in the

Polling hours.

afternoon, and the laws of the commonwealth relative to city elections shall apply thereto, except as is otherwise specifically provided herein.

Certain election laws to apply.

SECTION 2. Except as otherwise provided herein, there shall not be printed on the official ballot to be used at any annual or special election the name of any person as a candidate for any office unless such person has been nominated as such at a preliminary election for nomination, held as provided herein. There shall not be printed on the official ballot for use at such preliminary election the name of any candidate for nomination at such preliminary election, unless he shall have filed, within the time limited by section three, the statement therein described.

Names of persons not to appear on ballot at annual or special elections unless nominated at preliminary elections, etc.

SECTION 3. Any person who is qualified to vote for a candidate for any elective municipal office, and who is a candidate for nomination thereto, shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election; provided, that at least ten days prior to such preliminary election he shall file with the city clerk a statement in writing of his candidacy, and with it the petition of at least fifty voters, qualified to vote for a candidate for the said office. Said statement and petition shall be in substantially the following form: —

Who may be candidates.

Proviso.

STATEMENT OF CANDIDATE.

I, (), on oath declare that I reside at (number if any) on (name of street) in the city of Beverly; that I am a voter therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for the office of (name of office) for (state the term) to be voted for at the preliminary election to be held on Tuesday, the day of , nineteen hundred and , and I request that my name be printed as such candidate on the official ballot for use at said preliminary election.

Form of statement of candidate.

(Signed)

Commonwealth of Massachusetts, Essex ss.

Subscribed and sworn to on this day of nineteen hundred and

before me,

(Signed)

Justice of the Peace,
or (Notary Public).

PETITION ACCOMPANYING STATEMENT OF CANDIDATE.

Petition
accompanying
statement of
candidate.

Whereas (name of candidate) is a candidate for nomination for the office of (state the office) for (state the term), we the undersigned, voters of the city of Beverly, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballot to be used at the preliminary election to be held on the Tuesday of , nineteen hundred and .

Acceptance
and oath not
required.

We further state that we believe him to be of good moral character and qualified to perform the duties of the office.

No acceptance by a candidate for nomination named in the said petition shall be necessary to its validity or its filing, and the petition, which may be on one or more papers, need not be sworn to.

Names of
candidates,
when to be
posted.

SECTION 4. On the first day, other than Sunday or a legal holiday, following the expiration of the time for filing the above described statement and petition, the city clerk shall post in a conspicuous place in the city hall the names and residences of the candidates for nomination who have duly qualified as candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, and shall cause the ballots which shall contain said names, in their order as drawn by the clerk, and no others, with a designation of residence, and of the office and term of service, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. In drawings for position on the ballot the candidates shall have an opportunity to be present in person or by one representative. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on such ballots such directions as will aid the voter, as, for example: "vote for one", "vote for two", and the like, and the ballots shall be headed as follows: —

Ballots to be
printed.

Drawings for
position on
ballot.

Blank spaces
to be left on
ballots, etc.

OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the offices of () Official preliminary ballot, heading.
in the city of Beverly. At a preliminary election to be held
on the day of in the year
nineteen hundred and .

(The heading shall be varied in accordance with the offices for which nominations are to be made.)

SECTION 5. No ballot used at any preliminary, special or annual election shall have printed thereon, or appended to the name of any candidate, any party or other political designation or mark, or anything showing how any candidate was nominated, or indicating his views or opinions. Party or political designations, etc., prohibited.

SECTION 6. The election officers shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the several voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in annual elections, to the city clerk who shall canvass said returns and shall forthwith determine the result thereof, publish the same in one or more newspapers published in the city, and post the same in a conspicuous place in the city hall. Counting of ballots and return of votes.

SECTION 7. The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall be the sole candidates for that office whose names may be printed on the official ballot to be used at the annual or special election at which such office is to be filled, and no acceptance of a nomination at a preliminary election shall be necessary to its validity. Nominations, how determined.

If two or more persons are to be elected to the same office at such annual or special election the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office, or all such persons, if less than twice the number of those so to be elected, shall be the sole candidates for that office whose names may be printed on the official ballot. Candidates' names to be printed on official ballots.

If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the election, all candidates participating in said tie vote shall have their names printed upon the official Results of tie vote.

ballot, although in consequence there be printed thereon candidates to a number exceeding twice the number to be elected.

When insufficient number of statements have been filed candidates filing statements to be deemed to have been nominated, etc.

Preliminary elections, when not to be held.

To be submitted to voters, etc.

SECTION 8. If at the expiration of the time for filing statements of candidates to be voted for at any preliminary election not more than twice as many such statements have been filed with the city clerk for an office as are to be elected to said office, the candidates whose statements have thus been filed shall be deemed to have been nominated to said office and their names shall be printed on the official ballot to be used at such annual or special election, and the city clerk shall not print said names upon the ballot to be used at said preliminary election, and no other nomination to said office shall be made. If it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election, no preliminary election shall be held, or, if no candidate is to be voted on at any such election in any ward, no preliminary election shall be held in such ward.

SECTION 9. This act shall be submitted to the voters of the city of Beverly at the state election in the year nineteen hundred and twenty-two in the form of the following question, to be placed upon the official ballot: — “Shall an act passed by the general court in the current year entitled ‘An Act providing for a preliminary election for the choice of municipal officers in the city of Beverly’ be accepted?” If a majority of the votes cast thereon are in the affirmative, this act shall take effect, but not otherwise.

Approved March 10, 1922.

Chap. 141 AN ACT INCREASING THE NUMBER OF TRUSTEES OF THE EPISCOPAL THEOLOGICAL SCHOOL IN CAMBRIDGE AND ALLOWING THEM TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

1867, 333, § 2, etc., amended.

SECTION 1. Section two of chapter three hundred and thirty-three of the acts of eighteen hundred and sixty-seven, as amended by chapter thirty-seven of the acts of eighteen hundred and eighty-nine, by chapter one hundred and twenty of the acts of nineteen hundred and ten and by chapter eighty-seven of the acts of nineteen hundred and thirteen, is hereby further amended by striking out, in the second line, the word “nine” and inserting in place thereof the word: — eleven, — so as to read as follows: — *Section 2.* The

Trustees of the Episcopal Theological

number of said trustees shall be eleven, and in case of any vacancy caused by the death, resignation or removal of any trustee, a new trustee shall be elected by the surviving or remaining trustees; and any trustee may be removed from office by the unanimous vote of all the remaining trustees. Said trustees may appoint such officers as they think fit for the management of the affairs of the corporation, and they shall appoint all professors, lecturers, tutors and instructors in the said school, prescribe their duties, and fix their salaries and tenure of office.

School, number of trustees, etc.

SECTION 2. The Trustees of the Episcopal Theological School at Cambridge are hereby authorized to hold real and personal estate to the amount of three million dollars for the purposes named in their act of incorporation; and no gift, devise, bequest or conveyance of real or personal estate heretofore made to said corporation shall be invalid by reason of the limit heretofore imposed by law upon the amount of such estate allowed to be held by it.

May hold real and personal estate, etc.

Approved March 10, 1922.

AN ACT PROVIDING FOR THE FILLING OF CERTAIN VACANCIES
IN THE HOUSE OF REPRESENTATIVES. Chap. 142

Be it enacted, etc., as follows:

Section one hundred and forty-one of chapter fifty-four of the General Laws is hereby amended by inserting after the word "vacancy" in the twelfth line the following: — ; provided, that if such vacancy occurs during a recess between the first and second annual sessions of the same general court, the speaker may fix the time for an election to fill such vacancy, — so as to read as follows: — *Section 141.* Upon failure to choose a representative in the general court at the biennial state election, a certificate thereof shall be transmitted forthwith to the state secretary by the officers required to transmit certificates of election, and another election to fill the vacancy for such representative shall be held on the fourth Monday of the same month of November.

G. L. 54, § 141, amended.

Upon a vacancy in the office of representative in the general court or upon failure to elect on the fourth Monday of November, the speaker of the house of representatives shall issue precepts to the aldermen of each city and the selectmen of each town comprising the district or any part thereof, appointing such time as the house of representatives may order for an election to fill such vacancy; provided,

Failure to elect or vacancy in house of representatives.

Speaker to issue precepts, when.

Proviso.

that if such vacancy occurs during a recess between the first and second annual sessions of the same general court, the speaker may fix the time for an election to fill such vacancy. Upon receipt of such precepts, the aldermen or the selectmen shall call an election, which shall be held in accordance with the precepts.

Approved March 10, 1922.

Chap. 143 AN ACT AUTHORIZING THE CHARGING OF INTEREST ON BELATED ASSESSMENTS UNDER THE LAW RELATIVE TO THE TAXATION OF INCOME.

Be it enacted, etc., as follows:

G. L. 62, § 37,
amended.

Assessments
with interest,
under income
tax law, after
return is
verified, etc.

Section thirty-seven of chapter sixty-two of the General Laws is hereby amended by inserting after the word "same" in the fifth line the words: — , with interest at six per cent from the date when such tax was due under section thirty-nine, — by inserting after the word "tax" in the thirteenth line the words: — , with interest as aforesaid, — and by inserting after the word "tax" in the twenty-first line the words: — and interest aforesaid, — so as to read as follows: — *Section 37.* If the commissioner finds from the verification of a return, or otherwise, that the income of any person subject to taxation under this chapter or any portion thereof, has not been assessed, he may, at any time within two years after September first of the year in which such assessment should have been made, assess the same, with interest at six per cent from the date when such tax was due under section thirty-nine, first giving notice to the person so to be assessed of his intention, and such person shall thereupon have an opportunity within ten days after such notification to confer with the commissioner in person or by counsel or other representative as to the proposed assessment. After the expiration of ten days from such notification the commissioner shall assess the income of such person subject to taxation, or any portion thereof, which he believes has not theretofore been assessed, and he shall thereupon give notice under section thirty-nine to the person so assessed, and the tax, with interest as aforesaid, shall be payable fourteen days after the date of such notice. The provisions of this chapter in respect to the abatement and collection of taxes shall apply to a tax so assessed. Whenever, in the course of a verification of the returns of a taxpayer under section thirty, the commissioner finds that an overpayment of the total amount

Offset of taxes
erroneously
paid.

of taxes due from such taxpayer has been made on any year's return subject to verification, the amount of such overpayment shall be deducted from the amount of any additional tax and interest aforesaid found to be due on any other year's return so verified, and only the net amount thus determined to be due shall be assessed additionally.

Approved March 10, 1922.

AN ACT PROVIDING FOR THE APPOINTMENT OF A BUILDING COMMISSIONER IN THE CITY OF BROCKTON. Chap. 144

Be it enacted, etc., as follows:

SECTION 1. The superintendent of public buildings in the city of Brockton shall hereafter be known as the building commissioner. He shall be appointed in the month of December by the mayor, subject to the approval of the board of aldermen, for the term of two years from the first Monday of the following January and shall hold office until the appointment and qualification of his successor. Any vacancy in said office shall be filled for the unexpired term in the same manner as an original appointment.

City of Brockton building commissioner, appointment, term, etc.

SECTION 2. The city council may, by ordinance, provide for the appointment by the mayor, subject to the approval of the board of aldermen, of a board of appeal, consisting of three members. Said board shall have power to review the acts and decisions of the building commissioner and to annul, modify or confirm the same, notwithstanding the provisions of chapter one hundred and forty-three of the General Laws. Said board shall have such powers and duties not inconsistent with general law as may be prescribed by ordinance.

Board of appeal, appointment, powers and duties.

SECTION 3. Except in cases in which other provision is made by statute, the city may prescribe penalties not exceeding one hundred dollars for violation of ordinances made hereunder.

Penalties for violation of certain ordinances.

SECTION 4. So much of chapter three hundred and thirty-five of the acts of eighteen hundred and ninety-three as is inconsistent herewith is hereby repealed.

Repeal.

SECTION 5. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc. Proviso.

Approved March 10, 1922.

Chap.145 AN ACT INCREASING THE AMOUNT OF MONEY THAT MAY BE
EXPENDED BY THE TOWN OF OAK BLUFFS FOR ADVER-
TISING THE TOWN AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

1910, 112, § 1,
amended.

Town of Oak
Bluffs may
appropriate
money for
advertising the
town and for
public amuse-
ments.

To be sub-
mitted to
voters, etc.

SECTION 1. Section one of chapter one hundred and twelve of the acts of nineteen hundred and ten, is hereby amended by striking out, in the fourth line, the word "one" and inserting in place thereof the word: — three, — so as to read as follows: — *Section 1.* The town of Oak Bluffs may, by a two thirds vote, at its annual town meeting, after due legal notice thereof in the warrants under which said meetings are called, annually appropriate a sum not exceeding three thousand dollars for the purpose of advertising the advantages of the town and for providing amusements or entertainments of a public character.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said town present and voting thereon at an annual meeting called for the purpose; and for the purpose of being submitted to the voters as aforesaid, this act shall take effect upon its passage.

Approved March 13, 1922.

Chap.146 AN ACT REGULATING THE ESTABLISHMENT OF PERMANENT
MEMORIALS IN THE STATE HOUSE.

Be it enacted, etc., as follows:

G. L. 8, new
section after
§ 20.

Establishment
of permanent
memorials in
state house,
regulated.

Chapter eight of the General Laws is hereby amended by adding at the end thereof the following new section: — *Section 21.* No tablet, statue or other memorial of a permanent character shall be placed in the state house without the approval of the general court. *Approved March 13, 1922.*

Chap.147 AN ACT RELATIVE TO CREDIT UNIONS.

Be it enacted, etc., as follows:

G. L. 171, § 2,
amended.

Credit unions,
incorporation,
etc.

SECTION 1. Section two of chapter one hundred and seventy-one of the General Laws is hereby amended by adding at the end thereof the following: — A credit union shall organize and commence business within six months from the date of its incorporation, otherwise its charter shall become void, — so as to read as follows: — *Section 2.* Seven

or more persons, resident in the commonwealth, who have associated themselves by a written agreement with the intention of forming a corporation for the purpose of accumulating and investing the savings of its members and making loans to members for provident purposes, may, with the consent of the board of bank incorporation, become a corporation upon complying with the following section. The board of bank incorporation may grant such consent when satisfied that the proposed field of operation is favorable to the success of such corporation, and that the standing of the proposed incorporators is such as to give assurance that its affairs will be administered in accordance with the spirit of this chapter. A credit union shall organize and commence business within six months from the date of its incorporation, otherwise its charter shall become void.

Consent of board of bank incorporation.

To organize and commence business within six months, etc.

SECTION 2. Section thirteen of said chapter one hundred and seventy-one is hereby amended by inserting after the word "treasurer" in the third line the words: — , and such other officers as may be necessary for the transaction of the business of the credit union, — by adding at the end of the first paragraph the following: — All officers handling the funds of a credit union shall give bond to the directors in such amounts and with such sureties and conditions as the commissioner may prescribe, and shall file with him an attested copy thereof, with a certificate of its custodian that the original is in his possession, — and by striking out, in the ninth and tenth lines, the words "fix the amount of the surety bond required of any officer having custody of funds", so as to read as follows: — *Section 13.* The directors, at their first meeting after the annual meeting, shall elect from their own number a president, a vice president, a clerk and a treasurer, and such other officers as may be necessary for the transaction of the business of the credit union, who shall be the executive officers of the corporation, and who shall hold office until their successors have qualified. The offices of clerk and treasurer may be held by the same person. All officers handling the funds of a credit union shall give bond to the directors in such amounts and with such sureties and conditions as the commissioner may prescribe, and shall file with him an attested copy thereof, with a certificate of its custodian that the original is in his possession.

G. L. 171, § 13, amended.

Credit unions, election of officers.

Certain officers to give bond.

The board of directors shall have the general direction of the affairs of the corporation, and shall meet as often as may be necessary. They shall act upon all applications for mem-

Powers and duties of board of directors.

bership and upon the expulsion of members, determine the rate of interest on loans and deposits, fill vacancies in the board of directors until new members have qualified, make recommendations to the members of the credit union relative to the amount of entrance fee to be charged new members, the maximum amount to be loaned any one member, the advisability of declaring a dividend and the amount to be declared, the need of amendments to the by-laws, and any other matters upon which, in their opinion, the members should act at any annual or special meeting. When authorized so to do by the members at any annual meeting or at a special meeting called for the purpose, the board of directors, with the approval of the commissioner, may borrow money for the purpose of lending to members.

G. L. 171, § 14,
amended.

Credit unions,
supervisory
committee,
powers and
duties.

Verification of
pass books.

Suspension of
officers.

SECTION 3. Section fourteen of said chapter one hundred and seventy-one is hereby amended by inserting after the word "officers" in the fourth line the following:— and, under regulations prescribed by the commissioner, shall cause to be verified the pass books of the credit union at least once every three years, beginning with the year nineteen hundred and twenty-two. The supervisory committee shall hold meetings at least once each month and shall keep records thereof, — so as to read as follows: — *Section 14.* The supervisory committee shall inspect from time to time the securities, cash and accounts of the corporation and shall keep fully informed of its financial condition and shall supervise the acts of its board of directors, credit committee and officers and, under regulations prescribed by the commissioner, shall cause to be verified the pass books of the credit union at least once every three years, beginning with the year nineteen hundred and twenty-two. The supervisory committee shall hold meetings at least once each month and shall keep records thereof. At any time the supervisory committee, by a unanimous vote, may suspend any officer of the corporation or any member of the credit committee or of the board of directors, and, by a majority vote, may call a meeting of the shareholders to consider any violation of this chapter or of the by-laws, or any practice of the corporation which, in the opinion of the committee, is unsafe or unauthorized. Within seven days after the suspension of any officer, or any member of the credit committee or of the board of directors, the supervisory committee shall cause notice to be given of a special meeting of the members of the credit union to take such action relative to such suspension as may seem necessary.

The supervisory committee may make temporary appointments to fill vacancies caused by the absence, illness or suspension of any officer, director, or member of any committee, and shall fill any vacancies in its own number until new members have qualified. The board of directors and the supervisory committee, acting jointly, shall make appointments to fill vacancies in the credit committee until new members of the committee have qualified.

Vacancies in
offices.

SECTION 4. Section fifteen of said chapter one hundred and seventy-one is hereby amended by inserting after the word "committee" in the fourth line the following: —, or the treasurer, or the assistant treasurer if there be one, — so that the first paragraph of said section will read as follows: — *Section 15.* No member of the board of directors or of either the credit or supervisory committee shall receive any compensation for his services as a member of the said board or of such committee, nor shall any member of the credit or supervisory committee, or the treasurer, or the assistant treasurer if there be one, directly or indirectly, borrow from the corporation or become surety for any loan or advance made by it.

G. L. 171, § 15,
amended.

Credit unions,
certain officers
not to receive
compensation,
etc.

SECTION 5. Section seventeen of said chapter one hundred and seventy-one is hereby amended by adding at the end thereof the following: — Investments, other than loans, shall be made only with the approval of the board of directors, — so as to read as follows: — *Section 17.* The capital, deposits and surplus funds of a credit union shall be invested in loans to members, with the approval of the credit committee as provided in the following section; and any capital, deposits or surplus funds in excess of the amount for which loans shall be approved by the credit committee may be deposited in savings banks or trust companies incorporated under the laws of the commonwealth, or in national banks located therein, or may be invested in the bonds of any other credit union, or in any securities which are at the time of their purchase legal investments for savings banks in the commonwealth, or, with the approval of the commissioner, may be deposited in other credit unions or may be invested in the shares of other credit unions or co-operative banks incorporated in the commonwealth; provided, that the total amount invested in the shares of other credit unions or co-operative banks shall not exceed thirty per cent of the capital and surplus, and that not more than twenty per cent shall be invested in the shares of other credit unions, nor more

G. L. 171, § 17,
amended.

Credit unions,
investment of
funds.

Proviso.

Approval of
board of
directors.

than twenty per cent in co-operative bank shares. Investments, other than loans, shall be made only with the approval of the board of directors. *Approved March 13, 1922.*

*Chap.*148 AN ACT ESTABLISHING A CLOSE SEASON ON WHITE PERCH
IN CERTAIN WATERS.

Be it enacted, etc., as follows:

G. L. 130, § 61,
amended.

Section sixty-one of chapter one hundred and thirty of the General Laws is hereby amended by inserting after the word "perch" the first time it occurs in the second line the following: — since nineteen hundred and ten any white perch between March first and June first in any year, or sell or offer or expose for sale or have in possession a white perch so taken between said dates, nor shall he take from such waters, — and by inserting after the word "taken" in the fifteenth line the words: — , sold, offered or exposed for sale, — so as to read as follows: — *Section 61.* No person shall take from waters stocked by the director or his predecessors with white perch since nineteen hundred and ten any white perch between March first and June first in any year, or sell or offer or expose for sale or have in possession a white perch so taken between said dates, nor shall he take from such waters any white perch otherwise than by angling or less than seven inches long or have the same in possession nor shall he take therefrom a total of more than ten pounds in any day, except that if the last fish caught increases the total weight of the fish caught to more than ten pounds, the last fish so taken may be kept; provided, that when two or more persons are angling from the same boat or raft they shall not take more in the aggregate than fifteen pounds, except that if the last fish caught increases the total weight of the fish caught by such persons to more than fifteen pounds, the last fish so taken may be kept. This section shall not apply to waters now or hereafter held under lease by the commonwealth or by the commissioner of conservation. Violation of any provision of this section shall be punished by a fine of not more than twenty-five dollars and five dollars additional for every fish so unlawfully taken, sold, offered or exposed for sale, or had in possession. *Approved March 14, 1922.*

Restrictions on
taking of
white perch.

Proviso.

Penalties.

AN ACT AUTHORIZING THE TOWN OF SHARON TO REFUND *Chap.149*
TO THE PETTEE COMPANY CERTAIN TAXES ILLEGALLY
ASSESSED.

Be it enacted, etc., as follows:

The town of Sharon may pay to the Pettee Company, a corporation organized under the laws of this commonwealth, the sum of five hundred and fifty-six dollars and eighty-five cents, being the aggregate amount illegally assessed on the personal property of said company and collected from it in the years nineteen hundred and eighteen and nineteen hundred and nineteen.

Town of Sharon may refund certain taxes illegally assessed.

Approved March 14, 1922.

AN ACT ESTABLISHING THE ACUSHNET FIRE AND WATER *Chap.150*
DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Acushnet, liable to taxation in said town and residing within the territory enclosed within the following boundary lines: — Starting at the extreme southwesterly point of the Fairhaven and Acushnet boundary line from the Acushnet river, thence running easterly along the Fairhaven and Acushnet boundary line approximately seven thousand seven hundred feet to the boundary monument, a stone post at the intersection of a private road; thence following the general line of said private road in a northwesterly direction to the intersection of the Mattapoisett road approximately six thousand three hundred and seventy-five feet; thence running northerly and westerly about three thousand seven hundred and fifty feet to the intersection of White's Factory road and Main street or Long Plain road, so-called; thence following the general line of White's Factory road in a westerly direction to the intersection of the Middle road approximately six thousand feet; thence running northerly one thousand feet to Nyes Lane; thence running westerly in the general line of Nyes Lane to the boundary line between New Bedford and Acushnet; thence running southerly and easterly twelve thousand feet or more following the boundary line between New Bedford and Acushnet to the point of beginning, — shall constitute a water district and are hereby made a body corporate by the name of the Acushnet Fire and Water District, for the

Acushnet Fire and Water District, established.

purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes.

May take over certain property rights, etc., of town of Acushnet.

May contract with city of New Bedford for water supply, etc.

May incur indebtedness.

SECTION 2. Said district is hereby authorized to take over all property rights and assume all obligations of the town, so far as the same relate to the water supply established by the town of Acushnet. Said district may contract with the city of New Bedford and said city may furnish said district with water in the manner set forth by chapter one hundred and twenty-nine of the Special Acts of nineteen hundred and fifteen; and said district may incur indebtedness in the manner authorized by general law and in the manner and to the extent authorized for said town by chapter one hundred and eighty-three of the acts of nineteen hundred and twenty-one, in so far as such authority has not already been exercised by the town of Acushnet.

May take certain waters, etc.

Proviso.

May take certain lands, etc.

Proviso.

May construct dams, reservoirs, etc.

SECTION 3. For the purposes aforesaid, said district, acting by and through its water commissioners hereinafter provided for, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the water of any pond or stream or of any ground sources of supply by means of driven, artesian or other wells within the limits of the town of Acushnet; provided, that the amount of water which may be taken shall from time to time be determined by vote of the district. Said district, acting by and through said water commissioners, may also so take, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply and no lands necessary for preserving the quality of the water shall be taken or used without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of the said department. Said district may construct on the lands acquired and held under this act proper dams, reservoirs, stand-pipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and main-

tain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along such ways in the town of Acushnet, in such manner as not unnecessarily to obstruct the same. For the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; and all things done upon any such way shall be subject to the direction of the selectmen of the town of Acushnet. Said district shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities.

Requirements to enter upon railroad locations.

SECTION 4. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district.

Land taken or acquired to be managed, etc., by board of water commissioners.

SECTION 5. Any person injured in his property by any action of said water commissioners under this act may recover damages from said district under said chapter seventy-nine; provided, that the right to damages for the taking of any water or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said district under authority of this act.

Damages for injuries to property, recovery, etc.

Proviso.

SECTION 6. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Acushnet who shall assess the same on said district in the same manner in all respects in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector who shall collect the tax in the manner provided for the collection of town taxes, and shall deposit the proceeds with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the same manner in which interest is authorized to be collected on town taxes.

Assessment and collection of taxes.

SECTION 7. After the acceptance of this act by said town, a meeting of the voters of the territory included within the boundaries set forth in section one shall be called, on petition of ten or more legal voters therein, by a warrant from the

First meeting, how called, etc.

selectmen of the town of Acushnet, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. One of the petitioners shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator, the question of the acceptance of this act shall be submitted to the voters, and if it shall be accepted by a majority of the voters present and voting thereon it shall take full effect, and the meeting may then proceed to act upon the other articles contained in the warrant.

Question of acceptance of the act.

District clerk, district treasurer and board of water commissioners, election, powers, etc.

SECTION 8. Said district shall, at the same meeting at which this act is accepted and after such acceptance, elect by ballot a district clerk and a district treasurer, who may be the same person, to hold office until one year from the next succeeding annual meeting, and at each annual meeting after the first, their successors shall be elected by ballot for one year; and there shall also be elected by ballot three persons to hold office, one until three years, one until two years, and one until one year, from the next succeeding annual meeting, to constitute a board of water commissioners. At each annual meeting after the first, one such commissioner shall be elected by ballot for three years. All officers of the district shall hold office until their successors are elected and qualified. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in the board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may impose by its vote. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the district treasury except upon the written order of a majority of the board.

Vacancy in board, etc.

To fix water rates, etc.

SECTION 9. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be used to defray all operating expenses, interest charges and payments on principal as they become due upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it shall be used for such new construc-

Net surplus, how used.

tion as said commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by said commissioners except from the net surplus aforesaid, unless the district appropriates and provides money therefor. All authority vested in said commissioners by the foregoing provisions of this section shall be subject to the provisions of section eight. Said commissioners shall annually, and as often as the district may require, render to the district a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

Annual report.

SECTION 10. Said district may adopt by-laws prescribing by whom and how meetings may be called and notified; and upon the application of ten or more legal voters in the district, meetings may also be called by warrant from a justice of the peace as provided in section seven. Said district may also choose such other officers, not provided for in this act, as it may deem necessary or proper. Said district shall have all the rights and privileges conferred by law upon water and fire districts.

Adoption of by-laws, calling of meetings, etc.

To have certain rights, etc.

SECTION 11. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, stand-pipe, aqueduct, pipe or other property, owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

Penalty for polluting water, etc.

SECTION 12. The board of water commissioners, established under chapter two hundred and fifty-eight of the Special Acts of nineteen hundred and sixteen, is hereby abolished, and all the rights, powers, duties and obligations conferred or imposed upon said commissioners shall, upon the acceptance of this act by the town of Acushnet and the Acushnet Fire and Water District herein established, terminate.

Certain board of water commissioners, abolished, etc.

SECTION 13. For the purpose of submission to the voters of the town this act shall take effect upon its passage. It shall first be submitted to the voters of the town of Acushnet at a meeting duly called for the purpose; and if accepted by

To be submitted to voters, etc.

a majority of the voters of said town present and voting thereon, it shall take effect for the purpose of submission to the voters of the territory included within the boundaries set forth in section one. *Approved March 16, 1922.*

Chap.151 AN ACT RELATIVE TO THE FILING AND RECORDING IN THE OFFICE OF THE STATE SECRETARY OF CERTAIN CERTIFICATES, ARTICLES AND AFFIDAVITS.

Be it enacted, etc., as follows:

G. L. 4, new section after § 7.

Filing and recording in office of state secretary of certain certificates, etc.

SECTION 1. Chapter four of the General Laws is hereby amended by inserting after section seven the following new section: — *Section 7A.* The certificates, articles of organization and amendment and affidavits relating to corporations, labels and limited partnerships, and to the insignia, ribbons, badges, rosettes, buttons and emblems of any society, association or labor union, required by law to be filed and recorded in the office of the state secretary shall by the act of filing be deemed and taken to be recorded within the meaning of the statute requiring such record to be made, and when so filed shall be preserved in form convenient for reference.

Time of taking effect.

SECTION 2. This act shall take effect as of January first in the current year. *Approved March 16, 1922.*

Chap.152 AN ACT RELATIVE TO ASSESSORS' LISTS FOR ENROLMENT IN THE MILITIA.

Be it enacted, etc., as follows:

G. L. 33, § 6, amended.

Assessors' lists for enrolment in militia.

Chapter thirty-three of the General Laws is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* Assessors shall annually, in April or May, make a report of the number of persons living within their respective limits liable to enrolment, and shall place a certified copy thereof in the hands of the clerks of their respective towns, who shall place it on file with the records of such town, and annually, in May, June or July, transmit reports of the number of such persons to the adjutant general. *Approved March 16, 1922.*

Chap.153 AN ACT AUTHORIZING THE CITY OF BROCKTON TO PENSION ERASTUS W. GORHAM.

Be it enacted, etc., as follows:

City of Brockton may pension Erastus W. Gorham.

SECTION 1. The city of Brockton may pay, in equal weekly instalments, to Erastus W. Gorham, who was care-

taker of the public reading room in its public library for thirty-nine years and who is now retired on account of physical incapacity, an annual pension not exceeding the sum of four hundred dollars.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved March 16, 1922.

AN ACT AUTHORIZING THE CITY OF BROCKTON TO PENSION WALDO V. HOWARD. *Chap.154*

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton may pay, in equal weekly instalments, to Waldo V. Howard, an employee of its building department for more than thirty years and who is to be retired on account of physical incapacity, an annual pension not exceeding the sum of four hundred dollars.

City of Brockton may pension Waldo V. Howard.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved March 16, 1922.

AN ACT AUTHORIZING THE CITY OF BEVERLY TO PAY A SUM OF MONEY TO THE WIDOW OF JAMES J. FAGAN. *Chap.155*

Be it enacted, etc., as follows:

SECTION 1. The city of Beverly may pay, in equal weekly instalments, to Henrietta F. Fagan, the widow of James J. Fagan, the remainder of the salary to which he would have been entitled, had he lived and continued to serve as a member of its police department throughout the year nineteen hundred and twenty-two.

City of Beverly may pay money to widow of James J. Fagan.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved March 16, 1922.

Chap.156 AN ACT RELATIVE TO THE COMPENSATION OF TEMPORARY ASSISTANT CLERKS OF DISTRICT COURTS.

Be it enacted, etc., as follows:

G. L. 218, § 11,
amended.

District courts,
temporary
assistant clerks,
appointment,
compensation,
etc.

Section eleven of chapter two hundred and eighteen of the General Laws is hereby amended by striking out, in the eighth line, the word "twenty" and inserting in place thereof the word: — thirty, — so as to read as follows: — *Section 11.* In case of the absence, death or removal of a salaried assistant clerk of a district court, other than the municipal court of the city of Boston, the clerk, subject to the approval of the justice, may appoint a temporary assistant clerk, to act until such assistant clerk resumes his duties or until the vacancy is filled. A temporary assistant clerk shall be paid by the county for each day's service an amount equal to the rate by the day of the salary of such assistant clerk; but compensation so paid to a temporary assistant clerk for service, in excess of thirty days in any one year, shall be deducted by the county treasurer from the salary of such assistant clerk.

Approved March 16, 1922.

Chap.157 AN ACT CONFIRMING AND ESTABLISHING THE UNION OF THE IMMANUEL-WALNUT AVENUE CONGREGATIONAL CHURCH OF ROXBURY WITH THE ELIOT CONGREGATIONAL CHURCH OF ROXBURY.

Be it enacted, etc., as follows:

Certain votes,
etc., of Im-
manuel-Walnut
Avenue Con-
gregational
Church
of Roxbury,
confirmed.

Same subject.

SECTION 1. The votes and proceedings whereby the members of the Immanuel-Walnut Avenue Congregational Church of Roxbury became members of The Eliot Congregational Church of Roxbury, Boston, Massachusetts, are hereby ratified and confirmed.

SECTION 2. The votes and proceedings whereby the Immanuel-Walnut Avenue Congregational Church of Roxbury has constituted its deacons a legal body corporate in accordance with the provisions of chapter sixty-eight of the General Laws are hereby ratified and confirmed.

Certain records,
etc., to become
property of The
Eliot Congre-
gational Church
of Roxbury,
Boston,
Massachusetts.

SECTION 3. All papers, records and archives of said Immanuel-Walnut Avenue Congregational Church of Roxbury shall become the property of The Eliot Congregational Church of Roxbury, Boston, Massachusetts.

SECTION 4. This act shall take effect upon its passage.

Approved March 17, 1922.

AN ACT AUTHORIZING THE NORTHAMPTON CO-OPERATIVE BANK TO ACQUIRE REAL ESTATE FOR THE ACCOMMODATION OF ITS BUSINESS. Chap.158

Be it enacted, etc., as follows:

SECTION 1. The Northampton Co-operative Bank may invest a sum not exceeding forty thousand dollars in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business. The Northampton Co-operative Bank may acquire real estate, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 17, 1922.

AN ACT RELATIVE TO INVESTMENTS BY SAVINGS BANKS. Chap.159

Be it enacted, etc., as follows:

SECTION 1. The clause entitled "Sixth" of section fifty-four of chapter one hundred and sixty-eight of the General Laws, as amended by chapter two hundred and twenty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by adding at the end thereof the following new sentence:— A list of the companies whose securities prima facie comply with the requirements of this clause shall be furnished to the commissioner annually, at such time after June sixteenth in any year as he shall designate, by the proper authorities of the commonwealth having supervision over such companies, — so that said clause will read as follows:— *Sixth.* In the bonds of a gas, electric or water company secured by a first mortgage of the franchise and property of the company; provided, that the net earnings of the company, after payment of all operating expenses, taxes and interest, as reported to, and according to the requirements of, the proper authorities of the commonwealth, have been in each of the three fiscal years preceding the making of such investment equal to not less than four per cent on all its capital stock outstanding in each of said years; and, provided, that the gross earnings of the company in the fiscal year preceding the making of the investment have been not less than one hundred thousand dollars. A list of the companies whose securities prima facie comply with the requirements of this clause shall be furnished to the commissioner annually, at such time after June sixteenth in any year as

G. L. 168, § 54, clause "Sixth", etc., amended.

Investments by savings banks in bonds of gas, electric and water companies. Provisos.

List of companies, etc., to be furnished to commissioner of banks.

he shall designate, by the proper authorities of the commonwealth having supervision over such companies.

G. L. 168, § 54,
clause
"Ninth", sub-
div. (c), sub-
amended.

SECTION 2. Subdivision (c) of the clause entitled "Ninth" of said section fifty-four, contained in lines five hundred and sixty to five hundred and seventy, inclusive, of said section, is hereby amended by adding at the end thereof the following: — A list of the companies whose securities prima facie comply with the requirements of this subdivision shall be furnished to the commissioner annually, at such time after June sixteenth in any year as he shall designate, by the proper authorities of the commonwealth having supervision over such companies, — so that said subdivision will read as follows: — (c) A bond or note of a gas, electric light, telephone or street railway corporation incorporated or doing business in this commonwealth and subject to the control and supervision thereof: provided, that the net earnings of said corporation, after payment of all operating expenses, taxes and interest as reported to, and according to the requirements of, the proper authorities of the commonwealth, have been in each of the three fiscal years preceding the making or renewing of such loan equal to not less than four per cent on all its capital stock outstanding in each of said years; and provided, that the gross earnings of said corporation in the fiscal year preceding the making or renewing of such loan have been not less than one hundred thousand dollars. A list of the companies whose securities prima facie comply with the requirements of this subdivision shall be furnished to the commissioner annually, at such time after June sixteenth in any year as he shall designate, by the proper authorities of the commonwealth having supervision over such companies.

Investments
by savings
banks in bonds
or notes of gas,
electric light,
telephone or
street railway
corporations.
Provisos.

List of com-
panies, etc.,
to be furnished
to commis-
sioner of banks.

G. L. 168, § 54,
clause
"Ninth", sub-
div. (e), par.
(3), amended.

SECTION 3. Paragraph (3) of subdivision (e) of the said clause entitled "Ninth", contained in lines five hundred and ninety-two and five hundred and ninety-three of said section fifty-four, is hereby amended by inserting after the word "therein" in said line five hundred and ninety-three the words: — and unpledged shares of co-operative banks at not more than ninety per cent of their withdrawal value, — so that the said paragraph will read as follows: — (3) Deposit books of depositors in savings banks at no more than ninety per cent of the amount of deposits shown therein and unpledged shares of co-operative banks at not more than ninety per cent of their withdrawal value; or.

Investments
by savings
banks in
certain notes
secured by
savings banks
deposit books
or co-operative
bank shares.

Approved March 17, 1922.

AN ACT EXTENDING THE OPEN SEASON ON HARES AND RABBITS. *Chap 160*

Be it enacted, etc., as follows:

Chapter one hundred and thirty-one of the General Laws, as amended in section forty-six by chapter one hundred and fifty-two of the acts of nineteen hundred and twenty-one and by section two of chapter one hundred and seventeen of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section forty-six and inserting in place thereof the following: — *Section 46.* No person, except as provided in sections forty-six A, forty-nine, fifty-three and eighty-two to eighty-eight, inclusive, shall hunt, take, kill or have in possession a hare or rabbit except between October twentieth and the last day of February, both dates inclusive, or during the open season take or kill more than two northern varying hares, otherwise known as Canada hares, snow-shoe rabbits or white rabbits, or more than five rabbits in any one day, or have in possession more than two of the said hares or five of the said rabbits taken or killed in any one day; nor shall any person at any time buy, sell, offer for sale or have in possession for the purpose of sale a hare or rabbit taken or killed in this commonwealth, but during the open season in this commonwealth hares or rabbits lawfully taken without the commonwealth may be sold; provided, that the sale thereof is lawful in the state or country in which they were taken. This section shall not apply to European hares in the county of Berkshire which may be taken or killed at any time. *Approved March 17, 1922.*

G. L. 131, § 46,
etc., amended.

Close season
on hares and
rabbits.

Proviso.
When not
applicable.

AN ACT RELATIVE TO THE GRANTING OF LICENSES TO CERTAIN ALIENS FOR THE CATCHING OF LOBSTERS. *Chap.161*

Be it enacted, etc., as follows:

Section one hundred and four of chapter one hundred and thirty of the General Laws, as amended by section one of chapter one hundred and sixteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the fifteenth and sixteenth lines, the words "therein, for five years next preceding the date of the license" and inserting in place thereof the words: — in the waters of any of the aforesaid counties, for five years next preceding December first, nineteen hundred and twenty, — so as to

G. L. 130, § 104,
etc., amended.

Clerks of
certain cities
and towns to
grant licenses
to catch
lobsters, etc.

Licenses for
aliens.

Proviso.

Licenses for
certain non-
resident
citizens.

Expiration
of licenses.

Fees.

Color, etc.,
of buoys to be
stated, etc.

Licenses to be
exhibited.

read as follows: — *Section 104.* The clerk of any town in Essex, Middlesex, Suffolk, Norfolk, Plymouth, Barnstable, Bristol, Dukes or Nantucket county, situated on the shores of the commonwealth, shall grant licenses in the form prescribed and upon a blank furnished by the director, to catch or take lobsters from the waters of the commonwealth within three miles of the shores of the county where the town lies. Except as hereinafter provided, such licenses shall be granted only to individuals who are citizens of the commonwealth and who have resided therein for at least one year next preceding the date of the same. The clerk of any such town may grant such a license to any individual who is an alien and who resides in the county where the town lies; provided, that such alien has resided in said county, and has been actually engaged in lobster fishing in the waters of any of the aforesaid counties, for five years next preceding December first, nineteen hundred and twenty. A non-resident citizen of the United States temporarily residing in any town granting such licenses may, during June, July, August and September in each year, upon payment of the fee required by this section procure a license to take lobsters for consumption by the licensee and his family only. Licenses, except those granted to non-residents, shall expire on November thirtieth next succeeding the granting of the same unless sooner revoked as provided in the following section. The town clerk granting a license shall collect therefor a fee of one dollar, which, less fifteen cents to be retained by him, shall be forwarded to the director on the first Monday of the following month, together with coupons provided by the director for a description of the licensee and his buoys, and for such other information as may be required. All books of forms furnished to town clerks under this section shall be returned to the director on January first of each year. Each applicant for a license shall state the color scheme or other special markings of the buoys to be used by him which shall be set forth in his license, and all buoys used by him shall be marked accordingly and also with the licensee's initials or name which shall be branded or cut into the surface of the buoy. A licensee under this section shall at all times, while acting in pursuance of the license, exhibit his license upon the demand of any officer qualified to serve criminal process.

Approved March 17, 1922.

AN ACT RELATIVE TO THE POWERS OF THE JEWISH CHILDREN'S BUREAU OF BOSTON, INC. *Chap.162*

Be it enacted, etc., as follows:

The Jewish Children's Bureau of Boston, Inc., a corporation organized under chapter one hundred and eighty of the General Laws, may be appointed guardian of any minor child in its care, with the same powers and duties as are prescribed for guardians of minor children by chapter two hundred and one of the General Laws.

Jewish Children's Bureau of Boston, Inc., powers enlarged.

Approved March 17, 1922.

AN ACT AUTHORIZING THE CONSOLIDATION OF THE FIRST CHURCH IN ROXBURY AND THE ALL SOULS UNITARIAN CHURCH OF ROXBURY. *Chap.163*

Be it enacted, etc., as follows:

SECTION 1. The All Souls Unitarian Church of Roxbury and the First Church in Roxbury, religious corporations, are hereby authorized to unite under the name of the First Church in Roxbury.

All Souls Unitarian Church of Roxbury and First Church of Roxbury may unite.

SECTION 2. The said First Church in Roxbury is hereby authorized to hold, in addition to real estate used for church and parsonage purposes, personal property the income whereof is devoted to the support of the said First Church in Roxbury to an amount not exceeding two hundred thousand dollars.

First Church in Roxbury may hold property, etc.

SECTION 3. This act shall take effect upon its acceptance by both said corporations in accordance with their respective charters. An attested copy of the vote of acceptance by each corporation shall be filed with the state secretary within one year thereafter.

Time of taking effect.

Copy of vote of acceptance to be filed with state secretary.

Approved March 17, 1922.

AN ACT REDUCING THE NUMBER OF COPIES OF THE JOURNALS OF THE HOUSE OF REPRESENTATIVES OF MASSACHUSETTS BAY FROM SEVENTEEN HUNDRED AND FIFTEEN TO SEVENTEEN HUNDRED AND EIGHTY TO BE PURCHASED AND DISTRIBUTED BY THE STATE SECRETARY. *Chap.164*

Be it enacted, etc., as follows:

Section one of chapter four hundred and thirteen of the acts of nineteen hundred and twenty is hereby amended by

1920, 413 § 1, amended.

Purchase of
journals of
house of
representatives
of Massachu-
setts Bay from
1715 to 1780.

Proviso.

striking out, in the ninth line, the word "five" and inserting in place thereof the word: — three, — and also by striking out, in the twelfth line, the word "twelve" and inserting in place thereof the word: — seven, — so as to read as follows: — *Section 1.* Whenever the journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, inclusive, in volumes covering three years, more or less, shall be reprinted accurately by the Massachusetts Historical Society, in the manner and form of volume one, seventeen hundred and fifteen to seventeen hundred and seventeen, inclusive, now in the press, and approved by the secretary of the commonwealth, the secretary shall purchase from the society three hundred copies of the said journals at a price not exceeding two dollars and fifty cents a volume, but in no year shall there be expended more than seven hundred and fifty dollars; provided that if the copies are plated, the plates shall be subject to use by the commonwealth.

Approved March 17, 1922.

Chap. 165 AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PENSION CATHERINE E. STEVENS.

Be it enacted, etc., as follows:

City of
Cambridge
may pension
Catherine E.
Stevens.

SECTION 1. The city of Cambridge may pay to Catherine E. Stevens, for fifteen years a matron in its police department, an annual pension equal to one half the rate of compensation received by her during the last year of her employment by said city; provided, that she is retired prior to December thirty-first in the current year.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 17, 1922.

Chap. 166 AN ACT RELATIVE TO THE EXAMINATION OF APPLICANTS FOR REGISTRATION AS VOTERS.

Be it enacted, etc., as follows:

G. L. 51, § 44,
amended.

Section forty-four of chapter fifty-one of the General Laws is hereby amended by striking out, in the ninth and tenth lines, the words "double small pica type" and inserting in place thereof the words: — type of a size not less than twenty-

four point, — so as to read as follows: — *Section 44.* The registrars shall examine on oath an applicant for registration relative to his qualifications as a voter, and shall, unless he is prevented by physical disability, or unless he had the right to vote on May first, eighteen hundred and fifty-seven, require him to write his name in the general register and to read in such manner as to show that he is neither prompted nor reciting from memory. Registrars shall be provided by the state secretary with a copy of the constitution of the commonwealth printed in English on uniform pasteboard slips, each containing five lines of said constitution printed in type of a size not less than twenty-four point, and with a box so constructed as to conceal them from view. The registrars shall place said slips in the box, and shall require each applicant to draw one of said slips from the box and read aloud, in full view and hearing of the registrars, the five lines printed thereon. Each slip shall be returned to the box immediately after the test is finished, and the contents of the box shall be shaken up by a registrar before another drawing is made. No person failing to read the constitution as printed on the slip thus drawn shall be registered as a voter. The registrars shall keep said slips in said box at all times. The state secretary shall upon request provide new slips to replace those worn out or lost.

Examination of applicants for registration as voters.

Constitution slips, contents, size of type, reading by applicants, etc.

Approved March 17, 1922.

AN ACT AUTHORIZING THE COUNTY OF SUFFOLK TO PENSION *Chap.167*
ADELINE F. D. ELKINS.

Be it enacted, etc., as follows:

SECTION 1. Adeline F. D. Elkins, for thirty years a faithful clerical assistant in the office of the clerk of the superior court for civil business for the county of Suffolk, shall, at her request and with the approval of the chief justice of said court, be retired on a pension equal to one half the annual compensation received by her in said capacity at the time of her retirement, payable by said county in monthly instalments.

County of Suffolk may pension Adeline F. D. Elkins.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to Boston city council, etc. Proviso.

Approved March 17, 1922.

Chap.168 AN ACT AUTHORIZING THE CITY OF BROCKTON TO MAKE AN
ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

City of Brock-
ton may make
an additional
water loan.

SECTION 1. For the purpose of enlarging or improving its water works system, the city of Brockton may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Brockton Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Brockton Water
Loan, Act of
1922.

Payment
of loan.

SECTION 2. Said city shall, at the time of authorizing the said loan, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act shall, without further vote, be assessed by the assessors of said city annually thereafter, in the same manner as other taxes, until the debt incurred hereunder is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved March 17, 1922.

Chap.169 AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO
SUPPLY WATER TO THE TOWN OF FREETOWN.

Be it enacted, etc., as follows:

City of New
Bedford may
supply water
to town of
Freetown.

SECTION 1. The city of New Bedford may furnish and sell by meter water to the town of Freetown, or to the inhabitants thereof, by and under an agreement to be made between said city and town, and at a rate which shall not be less than that prevailing in said city.

Town of Free-
town may
install mains,
etc.

SECTION 2. The town of Freetown may, at its own expense, install mains, service pipes and all other equipment in the highways and other places in the town necessary to receive and distribute water purchased from said city.

SECTION 3. This act shall take effect upon its passage.

Approved March 17, 1922.

AN ACT AUTHORIZING THE COUNTY OF HAMPSHIRE TO CONTRIBUTE TOWARD THE RECONSTRUCTION OF A PORTION OF THE BRIDGE OVER THE CONNECTICUT RIVER BETWEEN HOLYOKE AND SOUTH HADLEY. Chap. 170

Be it enacted, etc., as follows:

SECTION 1. The county of Hampshire may, with the approval of its county commissioners, contribute a sum not exceeding five thousand dollars, and pay the same to the town of South Hadley, for the reconstruction of that portion of the bridge over the Connecticut river between Holyoke and South Hadley, which the said town is bound to maintain.

County of Hampshire may contribute toward reconstruction of portion of bridge over Connecticut river between Holyoke and South Hadley.

SECTION 2. This act shall take effect upon its passage.

Approved March 17, 1922.

AN ACT EXEMPTING THE HOLDERS OF CERTAIN FEDERAL LICENSES FROM THE PROVISIONS OF LAW RELATIVE TO THE PROPAGATION OR REARING AND SALE OF CERTAIN BIRDS. Chap. 171

Be it enacted, etc., as follows:

SECTION 1. Section thirty-seven of chapter one hundred and thirty-one of the General Laws is hereby amended by striking out, in the first and second lines, the word "eighty-nine" and inserting in place thereof the following: — eighty-two to eighty-nine, inclusive, — and also by adding at the end thereof the following: — This section shall not prohibit the buying, selling, offering for sale or having in possession of wild geese, brant, ducks or teal, or any part thereof, by a person licensed under federal law so to do, — so as to read as follows: — *Section 37.* Whoever, except as provided in sections forty and eighty-two to eighty-nine, inclusive, kills a swan at any time, or pursues, hunts, takes or kills any other of the anatidæ, commonly known as wild geese, brant, ducks and teal, between January sixteenth and September thirtieth, both inclusive, in Barnstable, Bristol, Dukes or Nantucket county, or between December thirty-first and September fifteenth in any other county, or buys, sells, offers for sale or has in possession any such bird or part thereof during the time when the taking or killing of them is prohibited by law, whenever or wherever said birds may be taken or killed, shall be punished by a fine of not less than twenty dollars. This section shall not prohibit the buying,

G. L. 131, § 37, amended.

Close season on swan, wild geese, ducks, etc.

Exemption
of certain fed-
eral licensees.

G. L. 131, § 81,
amended.

Sale, etc., of
certain wild
birds and game
forbidden.

Exemption of
certain federal
licensees.

selling, offering for sale or having in possession of wild geese, brant, ducks or teal, or any part thereof, by a person licensed under federal law so to do.

SECTION 2. Section eighty-one of said chapter one hundred and thirty-one is hereby amended by adding at the end thereof the following:— This section shall not prohibit buying, selling, bartering, exchanging, or in any way dealing in or trading with respect to, the dead or living bodies, or any part thereof, of wild geese, brant, ducks or teal by a person licensed under federal law so to do, — so as to read as follows:— *Section 81.* No person, except as provided in sections forty-six, fifty-two and eighty-two to eighty-nine, inclusive, shall buy, sell, barter, exchange, or in any way deal in or trade with respect to, the dead or living bodies, or any part thereof, of wild birds or game quadrupeds, protected by law in any part of the United States, whenever and wherever taken or killed. This section shall not prohibit buying, selling, bartering, exchanging, or in any way dealing in or trading with respect to, the dead or living bodies, or any part thereof, of wild geese, brant, ducks or teal by a person licensed under federal law so to do.

Approved March 17, 1922.

Chap. 172 AN ACT MAKING FURTHER PROVISION FOR SIGNBOARDS AND MILESTONES IN CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Pilgrim ter-
centenary com-
mission may
expend further
sums for sign-
boards and
milestones in
certain cities
and towns.

SECTION 1. For the purposes specified in section one of chapter three hundred and ninety-two of the acts of nineteen hundred and twenty, the Pilgrim tercentenary commission may expend from the treasury of the commonwealth such further sums, not exceeding four thousand dollars, as may hereafter be appropriated. All sums so expended shall be apportioned and assessed upon the cities and towns described in said chapter three hundred and ninety-two in accordance with section two thereof.

Cities and
towns to keep
signs, etc., in
repair, etc.

SECTION 2. Said cities and towns, acting through the city council or selectmen, shall, at their own expense, keep the signs and milestones, erected under authority of said chapter three hundred and ninety-two and of this act, within their respective limits, in good condition and repair, and in case of their destruction, shall replace the same after the manner and style of the originals.

Approved March 17, 1922.

AN ACT ESTABLISHING A MUNICIPAL GAS AND ELECTRIC COMMISSION IN THE CITY OF HOLYOKE. *Chap. 173*

Be it enacted, etc., as follows:

SECTION 1. There is hereby established an unpaid commission to be known as the municipal gas and electric commission of the city of Holyoke, to consist of three members, who shall be appointed in the manner and for the terms hereinafter provided. Said commission shall be vested with all the powers and duties heretofore exercised by the mayor of said city under the provisions of chapter one hundred and sixty-four of the General Laws, and in addition thereto shall have such powers and duties as are now conferred or imposed by said chapter upon municipal light boards in towns.

City of Holyoke, municipal gas and electric commission, establishment, powers, duties, etc.

SECTION 2. The mayor of said city shall, subject to confirmation by the board of aldermen, appoint prior to July first, nineteen hundred and twenty-two, one member of said commission to serve for two years, one for four years and one for six years, from the first Monday of July, and thereafter as the term of any member expires, a successor shall be appointed for the term of six years. Vacancies shall be filled in like manner for unexpired terms. The members shall in all cases hold office until their successors are chosen and qualified.

Terms of office, vacancies, etc.

SECTION 3. This act shall take effect upon its acceptance by the board of aldermen of said city; provided, that such acceptance occurs prior to June first in the current year. So much of this act as authorizes its acceptance by said board of aldermen shall take effect upon its passage.

To be submitted to board of aldermen, etc.
Proviso.

Approved March 18, 1922.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF BOSTON. *Chap. 174*

Be it enacted, etc., as follows:

Section four of chapter three hundred and eighty-three of the acts of nineteen hundred and five, as amended by chapter one hundred and fifty-six of the Special Acts of nineteen hundred and nineteen, is hereby further amended by inserting after the word "buildings" in the first line the words: — , or of the roofs thereof, — and by inserting after the word "cupolas" in the third line the words: — , arched or vaulted

1905, 383, § 4, etc., amended.

roofs, — and by striking out, in the seventh and eighth lines, the words “not exceeding twelve feet square and twelve feet high” and inserting in place thereof the words: — , ornamental glass coverings or structures for roof garden restaurants or gymnasia, — and by striking out the second paragraph of said section and inserting in place thereof the following paragraph: — Roof houses, pent houses, bulkheads and skylights above the roof line used to enclose elevator machinery or shafts may be of such dimensions as approved by the building commissioner. The area so enclosed for elevator shafts shall not be used for any purpose except the storage of tools and appliances used for the maintenance of the elevators, — so as to read as follows: — *Section 4.* No limitations of the height of buildings, or of the roofs thereof, in the city of Boston shall apply to churches, steeples, towers, domes, cupolas, arched or vaulted roofs, belfries or statuary not used for purposes of habitation, nor to chimneys, gas holders, coal or grain elevators, open balustrades, skylights, ventilators, flagstuffs, railings, weather vanes, soil pipes, steam exhausts, signs, roof houses, ornamental glass coverings or structures for roof garden restaurants or gymnasia, nor to other similar constructions such as are usually erected above the roof line of buildings.

Limitations of height of buildings, etc., in Boston not to apply to churches, steeples, etc.

Roof houses, bulkheads, etc., above roof line, dimensions, use, etc.

Roof houses, pent houses, bulkheads and skylights above the roof line used to enclose elevator machinery or shafts may be of such dimensions as approved by the building commissioner. The area so enclosed for elevator shafts shall not be used for any purpose except the storage of tools and appliances used for the maintenance of the elevators.

Roof houses, bulkheads, etc., how to be constructed.

Roof houses, pent houses and bulkheads in first class buildings may be constructed of angle iron and four-inch blocks, plastered on the inside and outside, or covered inside and outside with metal covering or angle iron, and two-inch solid metal lath and plaster walls may be used, the door to be of metal frame covered with metal. For second and third class buildings, roof houses, pent houses and bulkheads may be of wood frame covered with metal on the outside and plastered on metal lathing on the inside: *provided* that the door is covered with metal on both sides.

Proviso.

Approved March 18, 1922.

AN ACT RELATIVE TO PREFERENCES MADE BY PERSONS DYING INSOLVENT. *Chap. 175*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and ninety-eight of the General Laws is hereby amended by inserting after section seven the following new section: — *Section 7A.* The claims of creditors who have received preferences voidable under section ten B shall not be allowed unless such creditors shall first surrender such preferences.

G. L. 198, new section after § 7.

Surrender of preferences by creditors of insolvent estates of deceased persons.

SECTION 2. Said chapter one hundred and ninety-eight is hereby further amended by inserting after section ten, under the heading "Preferences", the following new sections: —

G. L. 198, new sections after § 10.

PREFERENCES.

Section 10A. A person shall be deemed to have given a preference if, being insolvent, he has, within four months before his decease, procured or suffered a judgment to be entered against himself in favor of any person, or made a transfer of any of his property, and the effect of the enforcement of such judgment or transfer will be to enable any one of his creditors to obtain a greater percentage of his debt than any other of such creditors of the same class. Where the preference consists in a transfer, such period of four months shall not expire until four months after the date of the recording or registering of the transfer, if by law such recording or registering is required. *Section 10B.* If a person shall have procured or suffered a judgment to be entered against him in favor of any person or has made a transfer of any of his property, and if, at the time of the transfer, or of the entry of the judgment, or of the recording or registering of the transfer if by law recording or registering thereof is required, and being within four months before his decease, the person be insolvent and the judgment or transfer then operate as a preference, and the person receiving it or to be benefited thereby, or his agent acting therein, shall then have reasonable cause to believe that the enforcement of such judgment or transfer would effect a preference, it shall be voidable by the executor or administrator of the debtor, and he may recover the property or its value from such person. *Section 10C.* If a creditor has been preferred, and afterwards in good faith gives the debtor further credit without

When persons dying insolvent shall be deemed to have given a preference, etc.

Certain judgments and transfers of property to be voidable by executors, etc.

Amount of certain new credit by

preferred creditors may be set off, etc.

security of any kind for property which becomes a part of the debtor's estate, the amount of such new credit remaining unpaid at the time of his decease may be set off against the amount which would otherwise be recoverable from him.

Approved March 18, 1922.

Chap.176 AN ACT RELATIVE TO THE DISPOSAL OF HUMAN BODIES.

Be it enacted, etc., as follows:

G. L. 114, § 45,
amended.

Permits for
burial or other
disposal of
human bodies.

SECTION 1. Chapter one hundred and fourteen of the General Laws is hereby amended by striking out section forty-five and inserting in place thereof the following:—
Section 45. Except as provided in sections forty-four and forty-six, no undertaker or other person shall bury or otherwise dispose of a human body in a town, or remove therefrom a human body which has not been buried, until he has received a permit from the board of health or its agent appointed to issue such permits, or if there is no such board, from the clerk of the town where the person died; and no undertaker or other person shall exhume a human body and remove it from a town, or from one cemetery to another, until he has received a permit from the board of health or its agent aforesaid or from the clerk of the town where the body is buried. No such permit shall be issued until there shall have been delivered to such board, agent or clerk, as the case may be, a satisfactory written statement containing the facts required by law to be returned and recorded, which shall be accompanied, in case of an original interment, by a satisfactory certificate of the attending physician, if any, as required by law, or in lieu thereof a certificate as hereinafter provided. If there is no attending physician, or if, for sufficient reasons, his certificate cannot be obtained early enough for the purpose, or is insufficient, a physician who is a member of the board of health, or employed by it or by the selectmen for the purpose, shall upon application make the certificate required of the attending physician. If death is caused by violence, the medical examiner shall make such certificate. The board of health or its agent, upon receipt of such statement and certificate, shall forthwith countersign it and transmit it to the clerk of the town for registration. The person to whom the permit is so given and the physician certifying the cause of death shall thereafter furnish for registration any other necessary information which can be ob-

tained as to the deceased, or as to the manner or cause of the death, which the clerk or registrar may require.

SECTION 2. Section fifty of said chapter one hundred and fourteen is hereby amended by striking out, in the first line, the word "forty-five" and inserting in place thereof the word: — forty-four, — so as to read as follows: — *Section 50.* Violations of any of the provisions of sections forty-four to forty-eight, inclusive, shall be punished by a fine of not more than fifty dollars.

G. L. 114, § 50, amended.

Penalty for violations of laws relating to disposal of human bodies.

Approved March 18, 1922.

AN ACT RELATIVE TO THE ACQUISITION OF SETTLEMENTS
BY SOLDIERS AND SAILORS.

Chap. 177

Be it enacted, etc., as follows:

Section one of chapter one hundred and sixteen of the General Laws is hereby amended by striking out all after the word "town" in the twenty-seventh line down to and including the word "enemy" in the thirtieth line, by inserting after the word "not" in the thirty-ninth line the words: —, or who enlisted and served in said forces during the Philippine insurrection, — and by striking out, in the fortieth line the words " , subject to the same proviso, " , so that clause Fifth will read as follows: — *Fifth.* A person who enlisted and was mustered into the military or naval service of the United States, as a part of the quota of a town in the commonwealth under any call of the president of the United States during the war of the rebellion or any war between the United States and any foreign power, or who was assigned as a part of the quota thereof after having enlisted and been mustered into said service, and his wife or widow and minor children, shall be deemed thereby to have acquired a settlement in such town; and any person who would otherwise be entitled to a settlement under this clause, but who was not a part of the quota of any town, shall, if he served as a part of the quota of the commonwealth, be deemed to have acquired a settlement, for himself, his wife or widow and minor children, in the place where he actually resided at the time of his enlistment. Any person who was inducted into the military or naval forces of the United States under the federal selective service act, or who enlisted in said forces in time of war between the United States and any foreign power, whether he served as a part of the quota of the commonwealth or not, or who enlisted and served in said forces during the Philippine insurrection, and his wife or widow

G. L. 116, § 1, clause "Fifth", amended.

Acquisition of settlements by soldiers and sailors.

and minor children shall be deemed to have acquired a settlement in the place where he actually resided in this commonwealth at the time of his induction or enlistment. But these provisions shall not apply to any person who enlisted and received a bounty for such enlistment in more than one place unless the second enlistment was made after an honorable discharge from the first term of service, nor to any person who has been proved guilty of wilful desertion, or who left the service otherwise than by reason of disability or an honorable discharge. *Approved March 18, 1922.*

Not applicable
to certain
persons.

Chap.178 AN ACT AUTHORIZING THE TOWN OF MATTAPOISETT TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Mat-
tapoissett may
incur indebt-
edness for
school purposes.

SECTION 1. For the purpose of acquiring land for and for the construction of, and for the original equipment and furnishing of, a school building, the town of Mattapoissett may from time to time borrow such sums as may be necessary, not exceeding in the aggregate the sum of twenty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Mattapoissett School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Mattapoissett
School Loan,
Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved March 24, 1922.

Chap.179 AN ACT AUTHORIZING THE BOSTON AND MAINE RAILROAD TO ACQUIRE THE FRANCHISES AND PROPERTY OF THE PROPRIETORS OF PORTSMOUTH BRIDGE.

Emergency
Preamble.

Whereas, The deferred operation of this act would defeat its purpose to provide with the least possible delay for certain economies in railroad transportation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Boston and
Maine Railroad
may acquire
franchises and
property of the
Proprietors of
Portsmouth
Bridge.

The Boston and Maine Railroad may acquire by transfer or merger all or any part of the property and franchises of the Proprietors of Portsmouth Bridge, a corporation organized under the laws of the state of Maine and of the state of

New Hampshire, the entire capital stock of which is owned by said Boston and Maine Railroad, on such terms as may be agreed to by the respective boards of directors of the acquiring and transferring corporations and approved at meetings called for the purpose by a majority in interest of the stockholders of the acquiring and transferring corporations, and also approved by the department of public utilities as consistent with the public interest. After said acquisition of said property and franchises has been effected, the same shall be deemed to be merged into said Boston and Maine Railroad, and said Boston and Maine Railroad shall have and enjoy all the rights, privileges, franchises and property of the transferring corporation, shall be subject to all its duties, debts and liabilities, and may discontinue the use of its bridges to the extent and in the manner provided by the laws of the state of Maine and of the state of New Hampshire. A copy of the agreement of transfer or merger, certified by the clerk of the Boston and Maine Railroad, shall be filed in the office of the state secretary and shall become effective upon such filing.

Property, etc., to be deemed to be merged, etc.

Boston and Maine Railroad to have certain rights, duties, powers, etc.

Copy of agreement, etc., to be filed in office of state secretary.

Approved March 24, 1922.

AN ACT DISSOLVING CERTAIN CORPORATIONS.

Chap. 180

Whereas, It is necessary that certain delinquent corporations be dissolved before April first in the current year, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Such of the following named corporations as are not already legally dissolved are hereby dissolved, subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws: —

Certain corporations dissolved.

- A. A. Martin, Russo Company
- A. & A. Raincoat Company
- A. B. Lewis Company, The
- A. B. Young Co.
- A. E. Jebb Refinishing Co.
- A. E. Jones Company
- A. H. Geuting Company
- A. H. Steele Co.
- A. Himmel Company

Certain
corporations
dissolved.

A. J. Evenson Company
A. L. King & Duffee, Inc.
A. P. Gorman Company
A. Rangos Company
A. S. Brock Rubber Company
A. S. Lowden & Son, Incorporated
A. W. Cheney Transfer Company
Abedi Importing & Exporting Company
Acme Automatic Scale Company
Acme Hotel & Restaurant Sales Co.
Acme Manufacturing Company
Acme Stain and Blacking Co.
Acme Trucking Company
Af-Ford-Able Truck Sales Co. of Mass.
Agawam Live Stock Company
Albert R. Lee & Company, Inc.
Alden-Giardino Cement & Rubber Co.
Allen and Endicott Building Company, The
Alsatian Machine Company
Alton Bay Healthatorium, Inc.
American Art Leather Company
American Beef Co.
American Binding Company
American Consolidated Oil Co.
American Constructive Accounting Company, Inc.
American De Greasing Co.
American Decorating Company, Inc.
American Dyeing and Cleaning Corporation
American Eagle Shoe Manufacturing Corporation, The
American Electric Tool Company
American International Novelty Co.
American Loan Company
American Maritime Company
American Metal Doll Company
American Model & Instrument Co.
American Overall Manufacturing Company, Inc.
American Pictograph Manufacturing Company
American Shoe Company
American SubChromatic Company
American Trading Company
American Yarn Company
Amesbury Development Company
Amesbury Fibre Company
Amesbury Theatre Company

Amherst Waxed Paper Mills
 Andrews-Wasgatt Company
 Anton Krieghoff Company
 Anton Leather Co.
 Antrim Safety Lock Company Inc.
 Army Surplus Supply Exchange, Inc.
 Arnold Electric Company
 Artercraft Manufacturing Company, The
 Arthur E. Wolfe Leather Company, Ltd., The
 Atlantic Fish Distributing Company
 Atlas Machine and Tool Company
 Auburn Last Company (1912)
 Auditorium Amusement Company (1909)
 Augustus Nickerson Inc.
 Auto Metal Body Co.
 Auto Motors Service Co., Inc.
 Automobile Appliance Company
 Ava-Lon Laboratories Company
 Ayer Farmers' Co-operative Exchange
 B. & F. Realty Corporation, The
 B. M. Jewelry Company
 Back Bay Bakery Company
 Bahan Extract Company
 Bailey, Barnes Company, Inc.
 Baker Rubber Cement Co.
 Baltic Trading Company
 Bancroft Razor Corporation
 Barnett Argentine Company, The
 Barnett Shoe Co., The (1919)
 Barr Sanatorium, Inc., The
 Bassett Storage Battery Company
 Bay Fish Company
 Bay State Airplane Company
 Bay State Foreign Trade Company, Inc.
 Bay State Glove Company
 Bay State Hide and Leather Company
 Bay State Products Company
 Bay State Smelting and Refining Co.
 Bay State Wholesale Company
 Beach Mfg. Co.
 Beacon Public Warehouse and Storage Company
 Bedford Cooperative Corporation
 Beggs & Cobb Tanning Company
 Bell Tire Co.

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

Benoit-Ryan and Parsons Corporation
Berg Retread Tire Co.
Berkshire Bakeries, Inc.
Berkshire Builders, Incorporated
Berkshire Leather Company
Bethlehem Motors Corporation of New England
Bill & Maurice Company, The
Blodgett Lakin Boyden Company
Blue Hill Avenue Theatre Corporation
Bon Ton Garage, Inc.
Boston Asbestos Company
Boston Concert Bureau Inc. The
Boston Dry Goods Company
Boston Elite Quality Shop, Inc.
Boston Golf Shop, Inc.
Boston Hebrew Publishing Company
Boston Hotel and Apartment House Trust, Inc.
Boston Hygienic Institute, Inc. (March 17, 1920)
Boston Hygienic Institute, Inc. (April 29, 1919)
Boston Marine Works
Boston Paper Manufacturing Company
Boston Saw and Tool Company
Boston-Texas Oil Company
Boston Watch Company
Boulevard Garage Company
Boutwell Bros. Incorporated
Breckwood, Incorporated
Brennan Boot and Shoe Company
Bridgewater Shoe Factory Company
Brimfield Brick Company
Brittain Dental Show Case Company
Broadway Storage Company
Broadway Theatre Co. of Somerville
Brockton Bread Co.
Brockton Manufacturing Company (1919)
Broheco Farm Company
Broma-Mist Company
Brookmede Farm Company
Brooks Barley Company
Brophy Barrabee Company
Brown & Company, Inc.
Browne Apparatus Company
Browne-Mandile Company

Bryant & Stratton Commercial School of Rhode Island, Certain corporations dissolved.
 Inc.
 Building Association Ideal Inc., The
 Bureau of University Travel (Inc.), The
 Burt and Packard Company
 Butterfield & Company Inc.
 C. A. Ketchum and Company, Inc.
 C. A. Nichols Company
 C and C Leather Company Incorporated
 C & M Tire Company
 Calypto Company, Incorporated, The
 Cape Fish Company
 Capeverdean Trading Co.
 Capitol Extract & Syrup Co.
 Carbokill Company
 Carolina Company, The
 Catalogue Equipment and Supply Company, The
 Central Cape Cod Cranberry Company
 Central Garage, Inc.
 Central Laboratories, Inc.
 Central Shoe Repairing Co.
 Certified Checoupon Co.
 Chain Hosiery & Underwear Stores Co.
 Champlain Valley Lime Co. (1914)
 Chandler & Cleveland Co. of Fitchburg, Inc.
 Chapin Banking and Trust Company of Springfield
 Charette & Kiernan Inc.
 Charles A. Jackson, Inc.
 Charles A. Reisig & Co. Inc.
 Charles Baker Company
 Charles D. Redmond Company
 Charles E. Wilson Optical Manufacturing Company Inc.
 Chas. H. RossKam's Enterprises Inc.
 Charles Knight & Company Incorporated
 Chase, Harlow Co., Inc.
 Chemical Specialties, Inc.
 Chemung Candy Company, Inc.
 Chicago Tanning Company
 Chicopee Press, Inc.
 City Associates Inc.
 Clearing House Delivery & Express Company Inc.
 Clearola Mfg. Company
 Coaster Construction Company

Certain
corporations
dissolved.

Codman Farm, Inc.
Codman Realty Corporation
Cohannet Company, The
Cohen-Newton Company
Cold Spring Brewing Company
Coleman, Son Company
Colonial Brass and Bronze Company
Colonial Shoe Mfg. Co. Inc.
Colored American Securities Corporation
Columbia Electric Engineering Company
Columbia Ice Cream Horn Company, The
Columbia Tire and Top Company
Commercial Auto Co., The
Commercial Progress Company, The
Commonwealth Curtain Company
Commonwealth Sales Company Inc.
Community Service Inc.
Conant's Lunch Inc.
Congress Hall Lunch Company
Continental Stores Inc.
Converse Tire Company (April 28, 1921)
Cook-Mandell, Inc.
Co-operative Commerciale Siciliana Association
Co-operative File Company
Copithorn Demountable Rim Company
Cornhill Company, The
Corrigan and Hoag Construction Co.
Court Square Hotel Company
Credit-Guide and Guaranty Company
Crescent Ice Company
Cronin Lumber Company
Cronkhite Chemical Corporation
Crosby Bros. Co.
Cuban Coal Company of America
Cushing Hospital Inc.
D. & C. Shoe Company
D. P. Williams Manufacturing Company
Dairy Products Co.
Daly Plumbing Supply Co., Inc.
Davis & Young Company, The
Davlok Manufacturing Co., The
DeBats Special Tool Steel Company
Dedham Electric Company
Deering Lumber Company

Certain
corporations
dissolved.

Delisco Corporation Limited (1919)
 Delmar Company
 Dempsey Bros. Co.
 Diamond Finish Starch Company
 Dr. Earl S. Sloan Incorporated
 Dr. Swett Root Beer Bottling Company
 Donald MacDonald Company, Inc.
 Dorchester Trust Building Corporation
 Dorchester Woman's Club House Association
 Dwight W. Sleeper & Co. Inc.
 E & R Laundry Company, The
 E. J. Callahan Co.
 E. W. Palmer Company
 Eagle Suit Case Company, Inc.
 Eagle Tanning Company, The
 East Cambridge Drying and Milling Co.
 Eastern Development & Construction Company, Inc.
 Eastern Investment Company
 Eastern Metal and Refining Company
 Eastern Refrigerating Company
 Eastern Varnish & Oil Co.
 Eco Manufacturing Company
 Economy Public Market Inc.
 Edson Manufacturing Company
 Egypt Trucking Company
 Eigner Shoe Company
 Electric Automobile Service, Inc.
 Electric Cigar Company
 Eliot Theatre Co. of Roxbury
 Elson Shoe and Leather Company
 Empire Chemical Co.
 Empire Distributing Company, Inc.
 Enterprise Company, The
 Equity Watch Company
 Essex County Finance Corporation
 Essex Manufacturing Company
 Essex Plumbing Supply Company
 Essex Waist Mfg. Co.
 Eugene E. Reed Company
 Eureka Specialty Co.
 Everett Italian Co-operative Association, Inc.
 Everett Machine & Manufacturing Company
 Everett Warehouse & Terminal Company
 F. A. Phelps Company, The

Certain
corporations
dissolved.

F. & D. Shoe Company, Inc.
 "F" & "F" Manufacturing Co.
 F. H. Gilson Company (1898)
 F. L. Hewes & Company (Incorporated)
 F. L. O'Bryan Company, The
 F. O. Small Company
 F. T. Mussey Towel Supply Company
 Fall River Banking and Trust Company
 Family Co-operative Co.
 Farquhar, Leavitt & Company, Inc.
 Farrington & Orr, Inc.
 Fashionable Cloak & Suit Company, Inc., The
 Federal Bond and Securities Company of Boston, Massa-
 chusetts
 Federal Coat Co.
 Federal Engineering Corporation, The
 Federal Paper Box Machinery Company
 Federal Trade Acceptance Bureau, Inc., The
 Fidelis Sales Corporation
 Fidelity Steamship Co.
 Finnlander Stock Co., The
 Fisher Polish Company
 Fisherman's Net and Twine Company
 Fitchburg Housing Corporation
 Fitrite Garter Company
 Forelook Publishing Corporation
 Founders' Corporation, The
 Framingham Farmers' Exchange
 Framingham Gas Fuel and Power Company, The
 Framingham Housing Association, Inc.
 Franco-American Association of Chicopee, Inc., The
 Frank N. Rand Insurance Agency, Inc.
 Frank Tilton-Martin Incorporation
 Franklin Coal and Wood Company
 Franz Yahn Service, Incorporated
 Fred H. Paris Co.
 Friend Brothers Incorporated
 Fulton Iron Foundry Company
 G. Wildes Smith, Inc.
 Gainaday Company of Maine, The
 Garden Theatres Company
 Gekco Company of Pueblo, The
 Gekco Company of Sacramento, The

- General Reclaiming & Refining Company of Massachusetts
 Certain corporations dissolved.
- George A. Dossas Co. Inc.
 Geo. A. Weld Co.
 George Grow Automobile Company
 Geraldine Company, The
 Giant Heater Company, The
 Gilbert Farms, Inc.
 Gilbert Paint & Wall Paper Company, The
 Gile Marine Engine Company
 Gillis Lumber Co.
 Globe Gas Light Company
 Globe Yarn Company
 Golden Brothers Company
 Golden Grain Farming Company
 Golden Pink Quarry Corporation
 Goodyear Tire & Rubber Company of Massachusetts,
 The
 Graham-Bell Co.
 Grant Motor Sales Company
 Graves Garage Company
 Gray Nickerson Company
 Great River Realty Corporation
 Greenwood Chemical Company
 Grocers Finance Co.
 Grove Investment Company
 Guild Webber Company
 H. Charles, Inc.
 H. Cutler & Co. Inc.
 H. F. Derby Drug Company, Inc.
 H. F. Shepard Company
 H. L. Handy Lumber Company Incorporated
 H. M. Ripley, Inc.
 H. W. Dunning & Co. (Incorporated)
 Hale's Grocery Corporation
 Hall Textile Manufacturing Co.
 Halpern Shoe Company
 Halstead Machine Company
 Hampden Insurance Agency, Inc.
 Hampshire Optical Company
 Hampshire Road Improvement Society, Incorporated,
 The
 Handy Manufacturing Co.

Certain
corporations
dissolved.

Hanlon Company, The
Hanover Realty Company, Inc.
Harcourt Bindery, Incorporated, The
Harmony Publishing Co.
Harold L. Bond Company
Harper XL Products Co., Inc., The
Harrington Shoe Company
Harvard Square Studio, Inc.
Harvey-Brooks Company (Inc.)
Hastings, Bridgwood & Ward, Inc.
Haverhill Merchandise Company
Hawthorne Cafe, Inc.
Haymarket Square Fish Co.
Healene Co.
Healey Phelan Shoe Company
Healey, Seaver Company (1907)
Henry A. Pierce Co.
Henry Bolton Peek Corporation, The
Henry Gray Company
Hermes Oriental and Domestic Produce Co.
Hershon Bros. & Co., Inc.
Higginson-Gibson Manufacturing Company, Inc.
High Grade Delicatessen and Dining Room Company
Hill Powder Company
Hinsman Machine & Tool Company
Hodgson-Nickerson, Inc.
Hoffman's Theatres Company
Holder-Perkins Company
Holland-Hoyt Sales Company
Home Theatre Co. of Everett
Homecraft Food Products Co.
Horké Vino Medical Corporation
Hosmer-Haid Co., Inc.
Hotel Colony Company
Houde Company, The
Hub Storage Warehouse Company
Hub System, Inc.
Hull Gas Company
Humphrey Coal Company
Hunt Rubber Company
Hyde Square Pharmacy Inc.
Hygienic System of Window Bakeries, Inc.
I. Miselman, Inc.
I. N. Chase Lumber Co.

Certain
corporations
dissolved.

I. S. Bessin & Co., Inc.
Ideal Provision Market Co.
Ideal Ventilator Company
Imported Rug Company
Independent Button Fastener Machine Company
Independent Jobbing Co.
Independent Wire Nail Manufacturing Company, Inc.
Indian Bridge Farm Co.
Intercontinental Truck Corporation
International Asbestos Company
International Shoe Co., The
Inter-trust Security Company
Italian Economical Grocery Company
Italian Macaroni Manufacturing Company, Inc.
Iverson Piano Player Company
J. A. Gagnon Company, Incorporated
J & G Manufacturing Company
J. C. Welton Company
J. C. Williams Leather Company
J. E. Bowers Chemical Co.
J. L. & E. C. Boucher, Incorporated
J. S. Bixby, Inc.
J. T. Harris Co., Inc.
J. W. Bowman Company, The (1907)
J. W. Hunnewell & Co., Incorporated
J. W. Staniford Co.
Jacobson & Hoenig Co. Inc.
Jager Engine Company
James F. Connor Company
James H. Earle Company
James H. Wyeth Company
James J. Coughlan Company
John W. Luce and Company, Incorporated
John Whalen Company Incorporated, The
Jones, McDuffee & Stratton Co. (1896)
Josselyn Furniture Co.
Jukola Co-operative Association
Kaleva Co-operative Association
Kandle-Born Company
Kaplan & Shapiro Co.
Kaplan-Nieburg, Inc.
Kazigian & Company, Inc.
Kelley Furniture Co., Inc.
Kenmore Company, Inc., The

Certain
corporations
dissolved.

Killian & Yancey Company, Inc.
Kinetic Motor Co.
King, Simons & King, Inc.
Kinnell Manufacturing Company, The
Koral Photo Supply Company
L. B. Taylor Company
L. C. S. Garage Company
L. Jacobs & Son, Inc.
L-M-L Company
La Chapelle Co.
Lady Beatrice Co.
Lafayette Motors Company
Lanash Refining Company
Larkin Company
L'Association Progressive Franco-Americaine de Spring-
field, Massachusetts
Lawrence Development Corporation
Le-Rex Products Co.
Lee Service Incorporated
Leon I. Chester Company, The
Levonen Kosher Wine Company
Lew Rosenbaum Co.
Liberty Clothing Co.
Liberty Lace & Braid Co.
Liberty Provision Market, Inc.
Liberty Shoe & Leather Company
Liberty Square Warehouse Company
Lincoln Knitting Mills Inc.
Lincoln Shoe & Rubber Company
Lindens Garage & Machine Co., The
Lithuanian Co-operative Association, Hudson, Mass.,
Inc.
Littlefield-Whitten Company
Lord Farms Incorporated
Louis Finn Company
Louis Silberman & Sons Inc.
Lowell Automobile Corporation
Lowell News Publishing Company
Lundstrom Surgical Supply Company
Luther C. Leavitt Co.
Lynn Investment and Securities Company, The
Lynn Mutual Shoe Company
M. & H. Leather Co.
M & K Auto Supply Company

Certain
corporations
dissolved.

M. Fred Hirsch Company
 M. K. Smith Company, The
 M. L. Barnett, Inc.
 M. Shields Company
 M. T. Sheahan Company
 MacDonald & Joslin Company
 MacLeod Manufacturing Company
 Magrane Houston Company
 Manchester Elite Quality Shop, Inc.
 Mann Tent Company
 Mansfield Company
 Mansfield Hospital, Inc.
 Manufacturers' Service Bureau, Incorporated
 Maple Meadow Farm Inc.
 Marden & Morgan Lumber Co. Inc., The
 Maria & Bohlman Argentine Company
 Marine Fuel & Chartering Co. (1919)
 Marine Scaling Company of New England
 Market Beef Co.
 Mason, Sanborn and Ramsdell Company
 Massachusetts Edible Oil Company
 Massachusetts Gas-Switch Company
 Massachusetts Highway Service Company
 Massachusetts Milk Company
 Massachusetts Sales and Garage Association Incorporated
 Massachusetts Shipping Corporation
 Massachusetts Toy Manufacturing Co.
 Massachusetts X Ray Service, Inc.
 Master Photo Play Company
 Master Truck Sales Company, Inc., The
 Mattapan Painting & Decorating Co.
 McGaughey Riordan Company, The
 McLaughlin & Freeman Co.
 McMahan and Marshall Company
 McQuary & DeLorme Company, Incorporated
 McRae The Tailor, Inc.
 Medfield Water Company
 Medford Dress Co.
 Medical Associates Inc., The
 Medomak River Shipbuilding Company
 Mercantile Realty Company
 Mercer Coated Paper Co.
 Merchandise & Laundry Tag Co.

Certain
corporations
dissolved.

Merchants and Manufacturers Finance Corporation
Merchants' Cooperative Express Company of Lawrence
Merchants' Finance Corporation
Merchants Furniture Exchange Inc.
Merrill Textile Co.
Merrimac Box Company
Merrimac Mattress Manufacturing Company, The
Merrimack Valley Auto Service, Inc.
Metropolitan Bus Lines, Inc.
Metropolitan Pictures Corporation
Mica Condenser Company, Ltd.
Middlesex Chemical Company
Middlesex Transportation and Trading Company
Miles Mercantile Co.
Milford Realty Company
Miller Hotel Company
Milliken Machine Company
Millman & Litant, Inc.
Milton Light and Power Company
Minah Development Company, The
Mitchell Sawyer Company
Model Service & Sales Company
Modern Chocolate Company
Modern Music Publishing and Advertising Company,
The
Mog Biscuit Company
Mohawk Transportation Co.
Monahan's Inc.
Moore & Hale Co.
Morse and Buffum Company
Moses Ehrlich Iron and Metal Co., Inc.
Motor Service Company Inc.
Motor Truck Transportation Clearing House of New
England, Inc.
Munson-Whitaker Company
Murphy & Co., Inc.
Mutual Credit Association, Inc.
Mystic Company, The
Mystic Wharf and Storage Company
N. E. Auto Parts Co.
National Acceptance Corporation
National Automobile Owners of America, Inc.
National Beef Company
National Bond Company, The

Certain
corporations
dissolved.

National Metal & Rubber Co.
 National Securities Corporation
 National Self-Winding Clock Co.
 Nature's Fertilizer Company
 Nature's Plant Food Company
 Neill Real Estate Inc.
 Neponset Co-operative Stores, Inc., The
 Nettleton Company, The
 New Bedford Clothing and Jewelry Company
 New Bedford Polish Association, Inc.
 New Bedford Progressive Corporation, The
 New England Bureau of Department Reports, Inc.
 New England Concrete Pipe Company
 New England Corset Company Inc. (1911)
 New England Doll Company
 New England Fruit Company
 New England Fruit Growers' Exchange
 New England Grape Company, The
 New England Hide Corporation
 New England Investment Company
 New England Retail Grocers Association, Inc., The
 New England Tool and Machine Company (Feb. 17,
 1920)
 New England Tool Company, Inc.
 New England Trunk Co.
 New England Waste Paper Company
 New Era Supply Co. Inc.
 New Premier Lunch Company
 New Springfield Hotel Company
 New York and Long Island Improvement Corporation
 Newark Sales Co.
 Nobracon Automotive Engine Co.
 Nonotuck Manufacturing Company
 Norcross Auto Specialty Company
 Norcross Construction Company
 Norfolk and Bristol Street Railway Company
 North Sedgwick Canning Co., The
 North Shore Roofing Company
 Northern Mining Company
 Norton Grinding Company
 Novelty Dress Co.
 O. L. Lorentzen Company
 Oak Palace Company
 Oak Square Realty, Inc.

Certain
corporations
dissolved.

Oaklandvale Farm, Incorporated
Oakmount Land Co.
Oceanic Trading Corporation
Old Colony Military Shop, Inc.
Old Colony Tailoring Company
Old Dock Public Storage and Warehouse Company
Oldsmobile Company of New England
Olympia Candy Company
Orchards, Inc., The
Orpheum Theatre Co. of Somerville
Orr Company Limited
Overland Fall River Corp.
Owren Casting Company
P. Dempsey Co., The
P. Galassi Corporation
P. J. McGourthy Company
P. Rielly & Son Leather Company
Page, Bailey & Wilbur (Incorporated)
Palmer Water Company
Pamet Fisheries Inc.
Park Building Company
Parker Rubber Company
Passamaquoddy Land Corporation
Peerless Realty Co.
Penobscot Amusement Company
Perfection Jar Opener Company
Peter Deschamps, Inc.
Peter Mosher, Incorporated
Petersen & Neveux, Inc.
Phelps Company, The
Pilgrim Fruit Co., The
Pilgrim Manufacturing Co.
Pilgrim Rubber Footwear Company
Piper Land Company
Plum Island Development Company
Portable Electric Searchlight Company, Inc.
Portage Rubber Company, The
Premier Motion Picture Service, Inc.
Prentiss Junk Company
Priscilla Mills Company
Priscilla Yarn and Blanket Company
Producers Oil Company Limited, The
Progress Wood Heel Company
Projecta Company, The

Certain
corporations
dissolved.

Publishers Printing Corpn.
Punch & Predmore Incorporated
Puritan Chemical Company
Puritan Grocery and Provision Co. Inc.
Purity Ice Company (1914)
Quako Bottling Company of New England
Quincy Macaroni Manufacturing Company
R. A. Wood Company Incorporated
R. E. Kidder Company
R. H. Long Autobody Co.
R-J-R Exterminating Company, Inc., The
Ralph A. Crosby Company, The
Ramopa Company
Ravenel Company, The
Ray Oil Burning Systems Company
Reece Automotive Products Company
Reed Gauge Company
Reed-Judge Co.
Reed Lunch Company
Reely-Trooly Co.
Regal Shoe Company
Regent Theatre Co. of Arlington
Republic Rubber Company, of Massachusetts
Republic Truck Company of Boston
Revere Auto Sales Company Inc.
Revere Distilling Company
Richards Leather Company, Inc.
Richardson & Company, Inc.
Robinson Bramley Co., Inc.
Robinson-Brockway Manufacturing Company
Robinson Trading Co. (Inc.) The
Rockingham Milk Company
Rockland Tack and Nail Company
Roeder-Hayes Company
Rose Brook Bog Company
Rosener & Kelley, Inc.
Rotherham Bros. Inc.
Roxbury Burial Association, Inc.
Roxbury Flour Mills
Royal Restaurant Company
Royal Wine and Cigar Company, The
Roy's Everett & Brown's Chelsea Express, Inc.
Rush Fish Co.
Russell Furniture Company

Certain
corporations
dissolved.

S. & C. Medical Co. Inc.
S. & S. Dress Mfg. Co.
S. D. Allchin & Company, Incorporated
S. Silk, Incorporated
S. W. Card Manufacturing Company
Salem Manufacturing Company
Salem Tanning Company
Sam Goldman Co. Inc.
Samoset Confectionery Corporation
Samson Tire Patch Laboratories, Inc.
Samuel S. Vinal & Company, Inc.
Sanborn Express Company
Sanford Street Garage Company
Saphro Publishing Company
Satin Manufacturing Co.
Scarborough Brook Club (incorporated), The
Scott's Laundry Company
Seaboard Motors Corporation
Security Restaurant Company
Shore Fish Company
Sickels & Skean Inc.
Sidmar, Incorporated
Silent Salesman, Inc.
Silver Bell Pictures Corporation, The
Simon Box Company
Simplex Novelty Company
Skalon Whip Company, The
Smith & Fitzgerald, Inc.
Smith Chemical Specialties Company
Smith System of Bakeries, Inc.
Specialty Shoe Company
Spofford Apartments, Inc.
Sportsmen's Club of Greater Boston Company, The
Springfield Aircraft Corporation
Springfield Automobile Headquarters, Inc.
Springfield Banking and Trust Company
Springfield Business School, Incorporated, The
Springfield Finance Co. (1919)
Springfield Motor Specialties Company, Incorporated
(1918)
Springfield Union Cigarmakers' Co-operative, Inc.
Square Deal Flour, Feed & Grain Company, The
Stanley Company, The
Star Fish Company

Star Woolen Company, Inc., The
 State Shoe Company
 Static Carbonating Company
 Steere Organ Company, The (1919)
 Sterling Baking Company
 Stetson-Mead Company
 Stewart Tire & Rubber Co.
 Stone Leather Company
 Suffolk Mutual Loan and Accumulating Fund Association.
 Sullivan Company, The
 Sunderland Electric Light and Power Company
 Superior Flour Co.
 Sure-Step Auto Mat Co.
 Sutton Cressy Incorporated
 Swain Ice Cream Co., Inc.
 Syra-Cord Tire and Rubber Company
 Tappan Service Company
 Taunton Evening Press, Inc.
 Taylor & Mayo Company
 Telephone Workers Co-operative Society
 Textile Exchange, Inc.
 Thinking Machines, Inc.
 Thomas Walsh Co.
 Tile Pattern Roofing Co. Inc.
 Tileston and Livermore Company
 Times Newspaper Company
 Times Printing Company
 Tioga Co., The
 Townsend Realty Co.
 Toy-Kraft Co.
 Transocean Mercantile Company Inc.
 Trimount Commercial Co.
 Trimount Investment Company
 Truckers and Shippers Bureau, Inc., The
 Tuck & Richter Manufacturing Co., Inc.
 Twenty Associates of Gloucester, Incorporated
 Twenty Five Associates, Inc.
 Tyler Cloak and Suit Company
 U. S. Industrial Service Company Incorporated, The
 Union Butter Company, The
 Union Hospital, Inc. of New Bedford, The
 Union Twist Drill Company (1910)
 United Bias Binding Co.

Certain
 corporations
 dissolved.

Certain
corporations
dissolved.

United Cranberry Company, The
United Development Corporation
United Distributing Company
United Inventions Company
United Mail Order Company
United Printing Plants Corporation
Universal Jewelry Company
Utility Shoe Company
Uxbridge Auto Company
Victory Building Corporation
Victory Heel Co.
Victory Paper Can Company
Villa Hog Farms, Incorporated, The
Vitrified Wheel Company (1917)
W. A. Worthen Shoe Co.
W. & M. Shoe Manufacturing Co., Inc.
W. D. Fulton Grain Co. Inc., The
W. E. Shiels Company
W. H. & Webster Jones Company
W. H. P. Gilmore Co.
W. H. Pevear & Co., Inc.
W. H. Wood & Sons Co.
W. Irving Peirce & Son, Inc.
W. L. Palmer Company
W. P. Ross Inc.
W. S. Cruickshank Co.
Wakefield Conservatories, Inc., The
Waldorf Lunch of Lawrence Inc.
Walker Carriage Company, Inc.
Walker Wool Company (1913)
Walter H. Turner (Inc.)
Walter L. Libby, Inc.
Waltham Machine Tool Company
Wamesit Shoe Company, Inc.
Wanda Export & Import, Inc.
Ware Coal Co.
Warren Grocery Company, Inc.
Waste Recovery Company
Waterford Realty Company
Waterford Yarn Company
Watson Brothers, Inc.
Webb, Kendall & Bruce, Inc.
West Everett Auto & Electric Supply Co.
Western Shoe M'f'g Co., Inc.

Weston Water Company
 Whidden & Co., Incorporated
 White Drug Store, Inc., The
 White Pine Box Company, The
 Whitehead Building, Incorporated
 Wight Brothers (Inc.)
 Wilkins, Stamme & Co., Inc.
 Will & Baumer Candle Co., (Inc.)
 William E. Marks Coal Company
 Wm. P. McCorkindale Company, Inc.
 William W. Diehl Co.
 Winchester Laundry Company, The
 Windsor Products Company, The
 Winnier, Erickson Engine Co.
 Winthrop Auto Express, Incorporated
 Wolfe Tavern Company, The (1915)
 Woodman Hutchinson Company
 Wooleather, Inc.
 Worcester Enameling Company Inc.
 Worcester Gazette Company, The
 Worcester Manufacturing Company
 Worcester Shock Absorber Co.
 Yelovitz Brothers, Incorporated
 Zina Goodell, Inc.

Certain
 corporations
 dissolved.

CHARITABLE AND OTHER CORPORATIONS.

Blind Welfare Union Inc.
 Boston Newsboys Club
 Business and Professional Men's Rifle Club of Boston
 Chapell Memorial Rest Home Corporation, The
 City Hospital of Medford
 Gardner War Chest Association, Inc.
 Girls Trade Education League
 Ladies' Aid Society of Hull
 M. A. C. Alumni Athletic Association
 Malden Boy's Industrial Club
 New Bedford War Fund Association
 Somerville Children's Home and Day Nursery Association

Certain chari-
 table and other
 corporations
 dissolved.

SECTION 2. Nothing in this act shall be construed to affect any suit now pending by or against any corporation mentioned herein, or any suit now pending or hereafter

Pending suits
 not affected,
 etc.

brought for any liability now existing against the stockholders or officers of any such corporation, or to revive any charter previously annulled or any corporation previously dissolved, or to make valid any defective organization of any of the supposed corporations mentioned herein.

Proceedings in suits upon choses in action, how brought, etc.

SECTION 3. Suits upon choses in actions arising out of contracts sold or assigned by any corporation dissolved by this act may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defence of which he might have availed himself in a suit upon the claim by the corporation, had it not been dissolved by this act.

No relief from obligation to file tax return, etc.

SECTION 4. Nothing in this act shall be construed to relieve the last person who was the treasurer or assistant treasurer, or, in their absence or incapacity, who was any other principal officer, of each of the corporations named in this act, from the obligation to make a tax return as of April first following the date of dissolution and swear to the same as required by section thirty-five of chapter sixty-three of the General Laws. The tax liability of each of the corporations named in this act shall be determined in accordance with the existing laws of this commonwealth.

When to take effect.

SECTION 5. This act shall take effect as of March thirty-first in the current year. *Approved March 24, 1922.*

Chap. 181 AN ACT ESTABLISHING CERTAIN BOUNDARY LINES BETWEEN THE TOWNS OF BELMONT AND WATERTOWN AND BETWEEN THE TOWN OF WATERTOWN AND THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Boundary line between towns of Belmont and Watertown, established.

The following described line shall hereafter be in part the boundary line between the towns of Belmont and Watertown: — Beginning at a granite monument set five tenths of a foot below the surface of the ground on the most westerly boundary line between the towns of Watertown and Belmont, north thirty-four degrees and thirty-four minutes west and twelve and ninety-six one hundredths feet distant from a granite monument standing near Lexington street and marking an angle in the existing line between the towns of Watertown and Belmont, thence extending easterly by a line parallel with and eight feet northerly from the southerly line of Belmont street, as established by the county commissioners

of Middlesex county on June eighteenth, nineteen hundred and ten, to a granite monument set five tenths of a foot below the surface and situated eight feet northerly from the southerly line of Belmont street, said monument being a point of curvature with a radius of eight hundred eight and ninety-two hundredths feet which radial line extended to the southerly line of Belmont street would be eighteen and seventy-three hundredths feet westerly from a point of curvature that marks the southerly line of Belmont street, as relocated and established by said county commissioners by their return and order on June fourteenth, eighteen hundred and ninety-eight; thence extending easterly by a curve one hundred seventy-two and twelve hundredths feet in length and having a radius of eight hundred eight and ninety-two hundredths feet to a granite monument which is a point of tangency and set five tenths of a foot below the surface and situated ten feet northerly from the southerly line of Belmont street on a radial line which is coincident with the radial line of the said southerly line of Belmont street, and with the proposed boundary line between the towns of Belmont and Watertown; thence extending easterly by a line parallel with and ten feet northerly from the southerly line of Belmont street, as established by said county commissioners, to a granite monument situated on the boundary line between the towns of Watertown and Belmont which monument is set five tenths of a foot below the macadamized surface and ten and fifteen hundredths feet northerly from the granite monument marking the southerly line of Belmont street.

The boundary line between the city of Cambridge and the town of Watertown shall be as follows: — Beginning at a stone monument on the boundary line, as now established, between the towns of Watertown and Belmont set six inches below the surface of Belmont street three and twenty-six hundredths feet southerly from a stone monument number ten, also set six inches below the surface of the street and which marks the angle where the present boundary lines of Watertown, Belmont and Cambridge meet, and ten and fifteen hundredths feet northerly from a stone monument situated on the southerly line of Belmont street, as established by said county commissioners on June fourteenth, eighteen hundred and ninety-eight; thence extending easterly by a curve to the right forty-six and ninety hundredths feet in length and having a radius of twelve hundred forty-three

Boundary line
between city
of Cambridge
and town of
Watertown,
established.

and twenty-four hundredths feet to a point of tangency; thence extending south sixty-nine degrees thirty-five minutes twenty seconds east eight hundred seventy-two and fifty hundredths feet in length to a stone bound set below the surface of the street, which bound forms a point of curvature; thence extending easterly by a curve to the right forty-two and twenty-four hundredths feet in length to a point of tangency and having a radius of four hundred thirty-four and ninety-seven hundredths feet; thence extending easterly one hundred ten and sixty-five hundredths feet parallel with and ten feet from the southerly line of Belmont street; thence extending easterly in a straight line ninety-two and forty-eight hundredths feet to a drill hole in a granite cap stone of the westerly abutment of the bridge over the Watertown branch of the Fitchburg division of the Boston and Maine Railroad; thence extending southwesterly in the general direction of the bridge abutment eighty-nine feet to a drill hole in a cap stone of the abutment on the southerly side of Mount Auburn street on the existing boundary line as established under chapter one hundred and fifty-one of the acts of eighteen hundred and ninety-eight.

Boundary line shown upon certain plan on file in office of state secretary.

Copy to be filed in registry of deeds, etc.

Part of town of Belmont annexed to town of Watertown.

Part of town of Watertown annexed to city of Cambridge.

Part of city of Cambridge annexed to town of Watertown.

Said new boundary line is shown by a red line upon a plan drawn by Wilbur F. Learned, consulting engineer of Watertown, dated April twenty-sixth, nineteen hundred and twenty-one, entitled "Town of Watertown, Plan showing the proposed relocation of the boundary line between the Town of Watertown and the Town of Belmont, and also the City of Cambridge", on file in the office of the state secretary, and a copy of the same shall be filed by the town of Watertown in the registry of deeds for the southern district of the county of Middlesex within thirty days after the passage of this act.

All that part of the town of Belmont between the line above described and the present boundary line between the towns of Watertown and Belmont is hereby set off from the town of Belmont and annexed to the town of Watertown; and all that part of the town of Watertown between the line above described and the present boundary line of the city of Cambridge on the northerly side of the proposed new line is hereby set off from the said town of Watertown and annexed to the said city of Cambridge, and also all that part of the city of Cambridge on the southerly side of the proposed new line between the line above described and the

present boundary line between the town of Watertown and the city of Cambridge is hereby set off from the city of Cambridge and annexed to the said town of Watertown.

Approved March 24, 1922.

AN ACT RELATIVE TO THE FEE FOR TESTING POULTRY.

Chap.182

Be it enacted, etc., as follows:

Section twenty-one of chapter seventy-five of the General Laws is hereby amended by striking out, in the first line, the word "seven" and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 21.* A fee of not more than ten cents may be charged for each test of poultry made under section seventeen. *Approved March 24, 1922.*

G. L. 75, § 21, amended.

Fee for testing poultry.

AN ACT FURTHER REGULATING THE USE OF SCENTED BAIT
IN TRAPS AND SNARES.

Chap.183

Be it enacted, etc., as follows:

Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section sixty-one and inserting in place thereof the following: — *Section 61.* Whoever sets, places, locates, maintains or tends a trap or snare of any kind with scent or scented bait upon the premises of another shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than one month, or both. *Approved March 24, 1922.*

G. L. 131, § 61, amended.

Use of scented bait in traps and snares, regulated.

AN ACT RELATIVE TO APPROPRIATIONS FOR THE MAINTENANCE OF MUNICIPAL LIGHT PLANTS.

Chap.184

Be it enacted, etc., as follows:

Chapter one hundred and sixty-four of the General Laws is hereby amended by inserting after section fifty-seven the following new section: — *Section 57 A.* Any city or town having a municipal light plant may appropriate money for the maintenance and operation of such plant, specifying that the same shall be taken from the receipts of the department; and where such appropriations are made, the city or town treasurer may, in advance of the collection of said receipts, pay bills on account of the said appropriations, and any sum so advanced shall be repaid to the city or town from such receipts, when collected, and shall be applied as reim-

G. L. 164, new section after § 57.

Appropriations for maintenance of municipal light plants.

bursement to the city or town, or to the payment of any temporary loan made by the city or town in anticipation of revenue of that year. *Approved March 24, 1922.*

Chap.185 AN ACT PERMITTING THE STATE FORESTER TO ACQUIRE LAND FOR FIRE OBSERVATION TOWERS.

Be it enacted, etc., as follows:

G. L. 132, § 30,
amended.

Commissioner
of conservation
may acquire
land suitable
for timber cul-
tivation and
land for fire
observation
towers.

May sell or ex-
change land
thus acquired,
etc.

Section thirty of chapter one hundred and thirty-two of the General Laws is hereby amended by inserting after the word "commonwealth" in the fourth line the words: — or any land necessary for the erection and operation of forest fire observation towers, — and by striking out the word "purpose" in the tenth line and inserting in place thereof the word: — purposes, — so as to read as follows: — *Section 30.* The commissioner may, subject to the approval of the advisory council of the department of conservation, acquire for the commonwealth, by purchase or otherwise, and hold, any woodland or land suitable for timber cultivation within the commonwealth or any land necessary for the erection and operation of forest fire observation towers, and, with the approval of the governor and council, may take such lands in fee by eminent domain under chapter seventy-nine. The commissioner may, subject to the approval of the advisory council of the department of conservation, after a public hearing, sell or exchange any land thus acquired which in his judgment can no longer be used advantageously for such purposes. The average cost of land so purchased by the commissioner shall not exceed five dollars an acre.

Approved March 24, 1922.

Chap.186 AN ACT RELATIVE TO THE WEIGHT OF LOAVES OF BREAD.

Be it enacted, etc., as follows:

G. L. 94, § 7,
amended.

Bread to be
manufactured
for sale, sold,
etc., by weight,
etc.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section seven and inserting in place thereof the following: — *Section 7.* Except as provided in the following section, bread shall not be manufactured for sale, sold, or offered or exposed for sale otherwise than by weight, and shall be manufactured for sale, sold, or offered or exposed for sale only in units of one pound, one and one half pounds, or multiples of one pound. When multiple loaves are baked, each unit of the loaf shall conform to the weight required by this section. The weights herein

specified shall mean net weights not more than twelve hours after baking, or not more than twelve hours after the sale and delivery of such loaves by the manufacturer or by his servant or agent. Such weights shall be determined by the average weight of not less than six loaves; provided, that such average weights shall be determined by the weight of at least twelve loaves whenever such number of loaves is available at the time and place of such weighing; and provided further, that bread found upon any premises occupied for the manufacture of bread for sale, or any bread found in the wagons, trucks, baskets, boxes, or other delivery vehicles or receptacles owned or controlled by the manufacturer of such bread, and being transported or delivered for sale, shall for the purposes of this section be deemed to have been baked within twelve hours unless such bread is marked, designated or segregated as stale bread, under regulations prescribed by the director of standards.

SECTION 2. Section eight of said chapter ninety-four, as amended by chapter ninety-four of the acts of nineteen hundred and twenty-one, is hereby further amended by adding at the end thereof the following:— When an inspection of bread is made at any bakery by the director or any inspector of standards or sealer of weights and measures, the manufacturer of such bread, or his servants or agents, shall, upon request of the official making such inspection, inform him whether such bread is manufactured for sale in any of the standard unit weights prescribed by the preceding section and, if not so manufactured for sale in such standard unit weights, shall furnish such official with samples of the labels or wrappers intended to be used on all such loaves of other than standard unit weights, — so as to read as follows:—

Section 8. Unit weights, as defined in the preceding section, shall not apply to rolls or to fancy bread weighing less than four ounces, nor to loaves bearing in plain position a plain statement of the weight of the loaf and the name of the manufacturer thereof. Such information shall be stated in case of wrapped bread, upon the wrapper of each loaf, and in the case of unwrapped bread by means of a pan impression or other mechanical means or upon a label not larger than one by one and three quarters inches nor smaller than one by one and one half inches. No label, attached to an unwrapped loaf, shall be larger than provided herein, nor shall any such label be affixed in any manner or with any gum or paste which is unsanitary or unwholesome. When an in-

G. L. 94, § 8,
etc., amended.

Special provisions as to rolls, fancy bread, and certain loaves.

Manufacturers, etc., to give in-

formation and furnish samples of labels, etc., to certain officials.

spection of bread is made at any bakery by the director or any inspector of standards or sealer of weights and measures, the manufacturer of such bread, or his servants or agents, shall, upon request of the official making such inspection, inform him whether such bread is manufactured for sale in any of the standard unit weights prescribed by the preceding section and, if not so manufactured for sale in such standard unit weights, shall furnish such official with samples of the labels or wrappers intended to be used on all such loaves of other than standard unit weights.

G. L. 94, § 9,
amended.

SECTION 3. Section nine of said chapter ninety-four is hereby amended by striking out all after the word "enforced" in the seventh line and inserting in place thereof the following: — They may seize without warrant any bread which they may deem necessary to be used as evidence of violation of law, giving a receipt therefor, and such bread shall be returned to the owner or forfeited as the court may direct. Before any prosecution is begun under this section by any inspector of standards, the parties concerned shall be notified and given an opportunity to be heard before the director. Before any prosecution is begun under this section by any sealer or deputy sealer of weights and measures, the parties concerned shall be notified and given an opportunity to be heard before the sealer and shall have the right of appeal to the director of standards; provided, that such appeal is filed with said director in writing within five days from the finding of the local sealer. When such appeal has been entered no prosecution shall be begun until the charges have been reviewed by said director, — so as to read as follows: —

Establishment and enforcement of certain rules, etc., by director of standards, etc. Proviso.

Section 9. The director of standards shall prescribe such rules and regulations as are necessary to enforce the two preceding sections, including reasonable tolerances or variations within which all weights shall be kept; provided, that such tolerances or variations shall not exceed one ounce per pound under the standard unit or marked weight. The said director, and under his direction the local sealers of weights and measures, shall cause this section to be enforced. They may seize without warrant any bread which they may deem necessary to be used as evidence of violation of law, giving a receipt therefor, and such bread shall be returned to the owner or forfeited as the court may direct. Before any prosecution is begun under this section by any inspector of standards, the parties concerned shall be notified and given an opportunity to be heard before the director. Before any

Seizure of bread for use as evidence of violation of law.

Parties concerned to be notified and heard before prosecution.

prosecution is begun under this section by any sealer or deputy sealer of weights and measures, the parties concerned shall be notified and given an opportunity to be heard before the sealer and shall have the right of appeal to the director of standards; provided, that such appeal is filed with said director in writing within five days from the finding of the local sealer. When such appeal has been entered no prosecution shall be begun until the charges have been reviewed by said director.

Appeal.
Proviso.

SECTION 4. Section ten of said chapter ninety-four is hereby amended by striking out, in the first line, the words "Violation of" and inserting in place thereof the words: — Whoever violates, — and also by inserting after the word "thereunder", in the second line, the words: — , or whoever fails or refuses to comply with any request for information made under authority of said sections, — so as to read as follows: — *Section 10.* Whoever violates any provision of sections two to nine, inclusive, or of any rule or regulation adopted thereunder, or whoever fails or refuses to comply with any request for information made under authority of said sections, shall be punished by a fine of not more than one hundred dollars.

G. L. 94, § 10,
amended.

Penalty for
violations of
laws, etc., as
to bakeries and
bakery
products.

Approved March 24, 1922.

AN ACT AUTHORIZING THE POSSESSION OF GAME OR FISH
AFTER THE END OF AN OPEN SEASON OR WHEN LEGALLY
BROUGHT INTO THE COMMONWEALTH.

Chap. 187

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and thirty of the General Laws is hereby amended by adding at the end thereof the two following paragraphs: — In construing this chapter, the fact that possession of various species of fish is forbidden thereby during certain periods of the year shall not be held to prohibit a resident of the commonwealth who has legally taken or come into possession of such fish from having the same or parts thereof in possession, for his own personal use and not for sale, during the first ten days of the closed season for such species; but the burden shall be on him to prove that such possession was lawful in its origin.

G. L. 130, § 1,
amended.

Certain persons
may possess
certain species
of fish after
end of an open
season, etc.

In construing this chapter, the fact that possession of various species of fish is forbidden thereby during certain periods of the year shall not be held to prohibit a person

Certain persons
may bring into
commonwealth
certain species
of fish after

end of an open season, etc.

Provisos.

G. L. 131, § 1, amended.

Certain persons may possess certain species of birds and game after end of an open season, etc.

Certain persons may bring into the commonwealth certain species of birds and game after end of an open season, etc.

Provisos.

from bringing into this commonwealth, for his own personal use and not for sale, game fish or parts thereof which were lawfully taken in another state, province or country, or from having such game fish or parts thereof in possession for the aforesaid purpose for ten days after the arrival thereof in this commonwealth; provided, that before any such game fish or parts thereof are so imported they shall be tagged or marked in accordance with the laws of such other state, province or country and with the federal laws relative to interstate commerce, and provided that no person shall so import more game fish at one time than is permitted by the laws of such other state, province or country to be exported therefrom.

SECTION 2. Section one of chapter one hundred and thirty-one of the General Laws is hereby amended by adding at the end thereof the two following paragraphs: — In construing this chapter, the fact that possession of various species of birds and quadrupeds is forbidden thereby during certain periods of the year shall not be held to prohibit a resident of the commonwealth who has legally taken, killed or come into possession of such birds or quadrupeds from having the same or parts thereof in possession, for his own personal use and not for sale, during the first ten days of the closed season for such species, or in the case of deer during the first thirty days of the closed season thereon; but the burden shall be on him to prove that such possession was lawful in its origin.

In construing this chapter, the fact that possession of various species of birds and quadrupeds is forbidden thereby during certain periods of the year shall not be held to prohibit a person from bringing into this commonwealth, for his own personal use and not for sale, birds or quadrupeds or parts thereof which were lawfully taken or killed in another state, province or country, or from having such birds or quadrupeds or parts thereof in possession for the aforesaid purpose for ten days after the arrival thereof in this commonwealth; provided, that before any such birds or quadrupeds or parts thereof are so imported they shall be tagged or marked in accordance with the laws of such other state, province or country and with the federal laws relative to interstate commerce, and provided, that no person shall so import more birds or quadrupeds at one time than is permitted by the laws of such other state, province or country to be exported therefrom.

Approved March 24, 1922.

AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS *Chap. 188*
AND ABOLISHING THE BOARD OF COMMISSIONERS OF THE
SINKING FUND IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Part I of chapter seven hundred and thirty-two of the acts of nineteen hundred and eleven, as affected by chapter one hundred and seven of the acts of nineteen hundred and twelve, is hereby amended by striking out section four and inserting in place thereof the following: — *Section 4.* Beginning with the year nineteen hundred and twenty-two, the municipal election shall take place biennially on the first Tuesday of December in every even numbered year, and the municipal year shall begin on the first Monday of January in each year. All meetings of the citizens for municipal purposes shall be called by warrants issued by order of the mayor and board of aldermen, which shall be in such form and be served and returned in such manner and at such times as the city council may by ordinance direct.

1911, 732,
Part I, § 4.
etc., amended.

City of Pitts-
field, biennial
municipal elec-
tions, munici-
pal year, etc.

SECTION 2. Said Part I is hereby further amended by striking out section five and inserting in place thereof the following: — *Section 5.* At such municipal election the qualified voters shall give in their votes by ballot for mayor, aldermen, common councilmen and school committee, in accordance with the provisions of this act and the laws of the commonwealth. Any person receiving the highest number of votes for any office shall be deemed and declared to be elected to such office; and whenever two or more persons are to be elected to the same office the several persons, to the number required to be chosen, receiving the highest number of votes shall be deemed and declared to be elected. Each person so elected shall be notified of his election in writing by the city clerk. If there is no choice for mayor, or if the person elected mayor shall refuse to accept the office or shall die before qualifying, or if a vacancy in said office shall occur subsequently, the city council shall in joint convention elect by ballot a qualified voter of said city, who shall be a member of the same political party as the candidate for mayor who received the highest number of votes for said office at the preceding biennial city election, or as the mayor, as the case may be, to serve as mayor until his successor is duly elected at the next biennial city election and has duly qualified therefor. If the full number of members of either

1911, 732,
Part I, § 5,
amended.

Election of
mayor, alder-
men, common
councilmen and
school com-
mittee.

Notice to per-
sons elected.
Vacancies in
office of mayor,
how filled, etc.

Vacancies in
city council,
how filled, etc.

branch of the city council shall fail to be elected, or a vacancy shall occur in either branch, such branch shall declare a vacancy or vacancies to exist; thereupon the city council shall fill the vacancy by ballot. The person thus elected to fill a vacancy in the city council shall be of the same political party and be a qualified voter of the same ward as his predecessor, and shall hold office for the remainder of the term.

1911, 732,
Part I, § 9, etc.,
amended.

SECTION 3. Said Part I, as affected by section one of chapter one hundred and seven of the acts of nineteen hundred and twelve, and as amended in section nine by section one of chapter one hundred and fifty-four of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out said section nine and inserting in place thereof the following: — *Section 9.* The mayor shall be elected by the qualified voters of the entire city and shall hold office for two years beginning with the first Monday in January next succeeding his election, and until his successor is elected and qualified. He shall be the chief executive officer of the city, and it shall be his duty to be active and vigilant in causing the laws, ordinances and regulations of the city to be enforced, and to keep a general supervision over the conduct of all subordinate officers. He shall have the power of veto provided by general law. He may suspend any officer, and may suspend any work or payment whether on contract or otherwise for a period not exceeding seven days, but in such case he shall report his action with his reasons therefor to the city council, which shall take immediate action thereon. He may call special meetings of the city council or either branch thereof, when in his opinion the interests of the city require it, by causing notices to be left at the usual place of residence of each member of the board or boards to be convened. He shall from time to time communicate to the city council or either branch thereof such information and recommend such measures as the business and interests of the city may in his opinion require. He shall, when present, preside in the board of aldermen and in convention of the two boards, but shall have no vote. He shall receive a salary not exceeding eighteen hundred dollars a year, and the same shall be payable at stated periods. He shall receive no other compensation for his services.

Mayor, elec-
tion, term,
powers, duties,
salary, etc.

1911, 732,
Part I, § 11,
amended.

President of
board of alder-
men as "acting

SECTION 4. Said Part I is hereby further amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* Pending the election of a mayor by the city council as provided in section five, or in case of

the mayor's absence from the city or of his inability from other cause to perform the duties of his office, the president of the board of aldermen shall, under the style of acting mayor, exercise the powers and perform the duties of mayor, except that he shall not, unless authorized thereto in a special instance by the city council, make any permanent appointment or removal from office; nor shall he, unless such inability of the mayor has continued at least nine days, or unless the office of mayor is vacant, have power to approve or disapprove any ordinance, order, resolution or vote of the city council.

mayor's,
powers, duties,
etc.

SECTION 5. Said Part I is hereby further amended by striking out section twelve and inserting in place thereof the following:—*Section 12.* One alderman shall be elected from the qualified voters of each ward by the qualified voters of the entire city after nomination by the qualified voters of the ward from which he is elected, and shall hold office for two years from the first Monday of January next succeeding his election. The members of the common council elected in December, nineteen hundred and twenty-one, to hold office until the first Monday of January, nineteen hundred and twenty-four, shall continue to hold office until the first Monday of January, nineteen hundred and twenty-five. At the biennial municipal election in the year nineteen hundred and twenty-two, three members of the common council shall be elected by and from the qualified voters of the entire city, to serve for two years from the first Monday of January following, and at the biennial municipal election in the year nineteen hundred and twenty-four and at each such election thereafter, one common councilman shall be elected by and from the voters of each ward, and three common councilmen shall be elected at large, to serve for two years from the following first Monday of January. No person shall be eligible for election as alderman or common councilman who is not at the time of his election a resident of the ward from which he is chosen, except councilmen at large, but a subsequent removal to another ward of said city shall not disqualify any such officer from discharging the duties of his office. The aldermen and common councilmen shall be sworn to the faithful discharge of their duties, and shall receive no compensation for their services. A majority of each board shall constitute a quorum for the transaction of business.

1911, 732,
Part I, § 12,
amended.
Aldermen and
common coun-
cilmen, elec-
tion, terms,
qualifications,
etc.

SECTION 6. Section thirteen of said Part I is hereby further amended by inserting after the word "January" in

1911, 732,
Part I,
§ 13, amended.

Meeting of
mayor, alder-
men and com-
mon council-
men elect,
administration
of oath, etc.

Organization of
city council,
board of alder-
men, etc.

the first line the words:— next succeeding a biennial municipal election, — by striking out, in the thirteenth line, the words “municipal year” and inserting in place thereof the words:— two years for which the council is elected, — and by inserting after the word “president”, in the sixteenth line the words:— who shall serve for the two years for which the board is elected and, — so as to read as follows:— *Section 13.* On the first Monday of January next succeeding a biennial municipal election, at ten o’clock in the forenoon, the mayor, aldermen and common councilmen elect shall meet in joint convention, when they shall be sworn to the faithful discharge of the duties of their respective offices. The oath may be administered by the city clerk or by any justice of the peace, and a certificate of such oath having been taken shall be entered on the journals of the board of aldermen and of the common council by their respective clerks. After the oath has been administered as aforesaid the two boards shall separate. The common council shall be organized by the choice of a president and clerk, to hold their offices respectively during the two years for which the council is elected. The clerk shall be sworn to the faithful discharge of his duties, and his compensation shall be fixed by concurrent vote of the city council. The board of aldermen shall choose a president, who shall serve for the two years for which the board is elected and who shall preside at the meetings of the board of aldermen and of the two councils in joint convention in the absence of the mayor. In case of the absence of the mayor-elect on the first Monday of January, or if the mayor shall not have been elected, the city council shall organize itself in the manner hereinbefore provided, and may proceed to business in the same manner as if the mayor were present, and the oath of office may at any time thereafter be administered to the mayor and any member of the city council who has been previously absent or has been subsequently elected, and every oath shall be duly certified as aforesaid. Each board shall keep a record of its own proceedings and be the judge of the election of its own members.

1911, 732,
Part I, § 26,
repealed, etc.

1911, 732,
Part I, § 34,
amended.

SECTION 7. Section twenty-six of said Part I, providing for a board of commissioners of the sinking fund of said city, is hereby repealed, and the said board is hereby abolished.

SECTION 8. Said Part I is hereby further amended by striking out section thirty-four and inserting in place thereof

the following:— *Section 34.* The school committee shall consist of the mayor, ex officio, who shall be chairman of the board, and fourteen other persons, inhabitants of said city, of whom two shall be elected by ballot from each ward by the qualified voters in said ward. At the biennial municipal election in the year nineteen hundred and twenty-two and at each such election thereafter, as many members of the school committee shall be elected as there are members whose terms expire on the first Monday of January next following, to serve for four years beginning with said first Monday. The members of said committee elected in the year nineteen hundred and twenty, to serve until the first Monday in January, nineteen hundred and twenty-four, shall continue to serve until the first Monday in January, nineteen hundred and twenty-five, and their successors shall be elected for terms of four years at the biennial municipal election in the year nineteen hundred and twenty-four. Any vacancy occurring in said committee may be filled for the period ending on the first Monday of January following the next biennial municipal election by the joint ballot of the city council and school committee in convention; and for the unexpired term thereafter shall be filled at such biennial municipal election. The members of the committee shall serve without compensation. Said committee shall biennially elect one of their number as chairman, to serve in the absence of the mayor. Said committee shall annually appoint one of their number to attend the meetings of the board of aldermen and common council for the purpose hereinafter mentioned, and said committee shall annually appoint a secretary, one of their number, who shall be under their direction and control. They shall annually appoint, but not of their own number, a superintendent of schools. The committee shall fix the salaries of such secretary and superintendent and may remove them for sufficient cause.

School committee, election, terms, etc.

Vacancies.

One member to attend meetings of board of aldermen and common council, etc.

Superintendent of schools, appointment, etc.

SECTION 9. A vote on the question of granting licenses for the sale of certain non-intoxicating beverages, required by the provisions of chapter one hundred and thirty-eight of the General Laws or by any other general provision of law, so long as said provisions shall be in effect, shall hereafter be taken biennially in said city at the biennial election herein provided for.

Vote on question of granting licenses for sale of certain beverages.

SECTION 10. This act shall be submitted to the voters of said city of Pittsfield at the state election to be held in nine-

To be submitted to voters, etc.

teen hundred and twenty-two, in the form of the following question to be placed upon the ballot: — “Shall an act of the general court, passed in the current year, providing for biennial municipal elections and abolishing the board of commissioners of the sinking fund in the city of Pittsfield, be accepted?” If a majority of the votes cast upon said question are in the affirmative, this act shall take effect, but not otherwise.

Approved March 24, 1922.

Chap.189 AN ACT RELATIVE TO VOTING AT PRIMARIES AND CAUCUSES BY PERSONS WHOSE NAMES HAVE BEEN OMITTED FROM THE VOTING LIST.

Be it enacted, etc., as follows:

G. L. 51, § 59,
amended.

Voting at
primaries, cau-
cuses or elec-
tions by
persons whose
names have
been omitted
from voting
list.

Section fifty-nine of chapter fifty-one of the General Laws is hereby amended by striking out, in the first line, the word “an” and inserting in place thereof the words: — a primary, caucus or, — so as to read as follows: — *Section 59.* On the day of a primary, caucus or election, registrars shall give to a voter whose name has been omitted from the voting list, or in whose name or residence, as placed on the voting list, a clerical error has been made, a certificate of his name and residence, as stated on the annual register, signed by a majority of the registrars. On presentation thereof to the presiding election officer of the ward, voting precinct or town in which the voter was registered, he shall be allowed to vote, and his name shall be checked on the certificate, which shall be attached to and considered a part of the voting list and returned and preserved therewith.

Approved March 24, 1922.

Chap.190 AN ACT RELATIVE TO REIMBURSEMENT OF TOWNS ON ACCOUNT OF TEACHERS EMPLOYED IN PRACTICE SCHOOLS CONNECTED WITH STATE NORMAL SCHOOLS.

Be it enacted, etc., as follows:

G. L. 70, § 6,
amended.

Reimburse-
ment of cities
and towns on
account of
teachers em-
ployed in
practice schools
connected with
state normal
schools.

Chapter seventy of the General Laws is hereby amended by striking out the last sentence of section six and inserting in place thereof the following: — For every teacher in a practice school connected with a state normal school, a part of whose salary is paid or reimbursed by the commonwealth, the town’s reimbursement under this chapter shall be based on that part of the salary paid by the town, but shall otherwise be in accordance with this chapter.

Approved March 24, 1922.

AN ACT PROVIDING FOR ADDITIONAL CLERKS AND STE- *Chap.191*
NOGRAPHERS IN THE OFFICE OF THE COMMISSIONER OF
STATE AID AND PENSIONS.

Be it enacted, etc., as follows:

Section twenty-five of chapter six of the General Laws is hereby amended by striking out the word "five" in the second line and inserting in place thereof the word: — eight, — so as to read as follows: — *Section 25.* The commissioner, with the approval of the governor and council, may appoint a chief clerk and not more than eight other clerks and stenographers and twelve agents. The salaries of such appointees shall be fixed by the commissioner.

G. L. 6, § 25,
amended.

Commissioner
of state aid
and pensions
may appoint
clerks, stenog-
raphers, etc.

Approved March 24, 1922.

AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL DISEASES *Chap.192*
TO TAKE LAND IN THE TOWN OF BELCHERTOWN FOR THE
BELCHERTOWN STATE SCHOOL.

Be it enacted, etc., as follows:

The department of mental diseases, on behalf of the commonwealth, may, with the approval of the governor and council, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase, land in fee in the town of Belchertown for the Belchertown state school; provided that, if land is taken by eminent domain hereunder, the eminent domain proceedings shall be commenced within one year after this act takes effect, or, if it is purchased, such purchase shall be completed within said period.

Department of
mental diseases
may take cer-
tain land for
Belchertown
state school.

Proviso.

Approved March 24, 1922.

AN ACT RELATIVE TO THE APPROVAL OF ACCOUNTS FOR *Chap.193*
MAINTENANCE OF STATE HOSPITALS.

Be it enacted, etc., as follows:

Section thirty-two of chapter one hundred and twenty-three of the General Laws is hereby amended by striking out, in the second line, the word "and", and inserting in place thereof the words: — or, if the trustees so vote, by the chairman or some member designated by him, and shall be, — so as to read as follows: — *Section 32.* All accounts for the maintenance of each of the state hospitals shall be approved by the trustees thereof or, if the trustees so vote, by

G. L. 123, § 32,
amended.

Approval
of accounts for
maintenance
of state
hospitals.

the chairman or some member designated by him, and shall be filed with the state auditor, and shall be paid by the commonwealth. Full copies of the pay rolls and bills shall be kept at each hospital. *Approved March 24, 1922.*

Chap.194 AN ACT PROVIDING FOR THE DISTRIBUTION OF THE RECEIPTS FROM INCOME TAXES, FOR OTHER THAN SCHOOL PURPOSES, TO THE TOWNS OF BROOKFIELD AND EAST BROOKFIELD.

Be it enacted, etc., as follows:

Distribution of receipts from income taxes, for other than school purposes, to towns of Brookfield and East Brookfield.

In distributing the receipts from income taxes to the towns of Brookfield and East Brookfield under the first paragraph of section eighteen of chapter fifty-eight of the General Laws during each of the years from nineteen hundred and twenty-two to nineteen hundred and twenty-seven, both inclusive, the amount of such receipts to which the town of Brookfield would have been entitled under said first paragraph, had the town remained undivided, shall be computed, and such amount shall be apportioned and paid to each of such towns in proportion to the amount which each is required to contribute in that year to the state tax.

Approved March 24, 1922.

Chap.195 AN ACT EXTENDING THE PROVISIONS OF AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PENSION THE WIDOW OF DANIEL T. DINEEN.

Be it enacted, etc., as follows:

City of Boston may pension widow of Daniel T. Dineen.

To be submitted to city council, etc.

Proviso.

SECTION 1. The provisions of chapter eighty-five of the acts of nineteen hundred and twelve are hereby extended to December thirty-first, nineteen hundred and twenty-seven.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 24, 1922.

Chap.196 AN ACT RELATIVE TO THE APPOINTMENT OF EXPERTS IN THE DEPARTMENT OF LABOR AND INDUSTRIES.

Be it enacted, etc., as follows:

G. L. 23, § 4, etc., amended.

Section four of chapter twenty-three of the General Laws, as amended by section three of chapter three hundred and six of the acts of nineteen hundred and twenty-one, is hereby

further amended by inserting after the word "division" in the eighth line the following:— The commissioner may employ, for periods not exceeding ninety days, such experts as may be necessary to assist the department in the performance of any duty imposed upon it by law, and such employment shall be exempt from chapter thirty-one, — and also by striking out, in the ninth and tenth lines, the word "experts," so as to read as follows:— *Section 4.* The commissioner, assistant commissioner and associate commissioners may, with the approval of the governor and council, appoint, and fix the salaries of, not more than five directors, and may, with like approval, remove them. One of them, to be known as the director of standards, shall have charge of the division of standards, and each of the others shall be assigned to take charge of a division. The commissioner may employ, for periods not exceeding ninety days, such experts as may be necessary to assist the department in the performance of any duty imposed upon it by law, and such employment shall be exempt from chapter thirty-one. Except as otherwise provided in section eleven, the commissioner may employ and remove such inspectors, investigators, clerks and other assistants as the work of the department may require, and fix their compensation. Four inspectors shall be men who, before their employment as such, have had at least three years' experience as building construction workmen. The commissioner may require that certain inspectors in the department, not more than seven in number, shall be persons qualified by training and experience in matters relating to health and sanitation. The commissioner may employ temporarily, from time to time, such persons to act as surveyors of lumber as he may find necessary for making the surveys applied for, and such employment shall be exempt from chapter thirty-one. He may fix their compensation and, subject to his approval, they may be allowed reasonable expenses incurred in the performance of their official duties.

Department of labor and industries, directors, experts, inspectors, appointment, etc.

Approved March 24, 1922.

AN ACT PROVIDING FOR THE CURRENT REVISION OF THE INDEX TO THE GENERAL LAWS. *Chap 197*

Be it enacted, etc., as follows:

Section fifty-one of chapter three of the General Laws is hereby amended by adding at the end thereof the following:— They shall, from time to time, under like direction, make

G. L. 3, § 51, amended.

such additions and revisions in the index of the General Laws as may be necessary to insure its prompt publication in connection with future revisions of the statutes. The said committees may direct that copies of the index containing such additions and revisions be deposited, from time to time, in the office of the state secretary or elsewhere and made available for public use, — so as to read as follows: —

Section 51. The committees on rules of the senate and house of representatives shall each appoint a skilled person to act as counsel to the senate and house of representatives, respectively, at such compensation as the said committees may approve. The persons so appointed shall serve for the term of two years from the date of appointment, subject to the pleasure of the said committees. They shall, under the direction of the said committees, annually prepare a table of changes in the general statutes, an index to the acts and resolves, and shall from time to time, under the direction of the said committees or of the general court, consolidate and incorporate in the General Laws all new general statutes. They shall, from time to time, under like direction, make such additions and revisions in the index of the General Laws as may be necessary to insure its prompt publication in connection with future revisions of the statutes. The said committees may direct that copies of the index containing such additions and revisions be deposited, from time to time, in the office of the state secretary or elsewhere and made available for public use.

Approved March 24, 1922.

Counsel to senate and house of representatives, appointment, terms, etc.

To prepare table of changes in general statutes, to consolidate in the General Laws all new general statutes, etc.

To make additions and revisions in index of the General Laws, etc.

Chap. 198 AN ACT ENABLING THE SECRETARY OF THE COMMONWEALTH TO DETERMINE THE NUMBER OF COPIES OF THE BLUE BOOK AND OF THE PAMPHLET EDITION OF THE ACTS AND RESOLVES TO BE PRINTED EACH YEAR.

Be it enacted, etc., as follows:

G. L. 5, § 3, amended.

Blue book, printing and distribution.

G. L. 5, § 4, amended.

SECTION 1. Section three of chapter five of the General Laws is hereby amended by striking out the first four lines and inserting in place thereof the following: — *Section 3.* The state secretary shall determine the number of copies, not exceeding eleven thousand five hundred, of said volume required to be printed each year and shall, immediately after their publication, deposit five of such copies in his office and distribute others as follows:

SECTION 2. Section four of said chapter five is hereby amended by striking out, in the second and third lines, the

words "twenty thousand copies" and inserting in place thereof the following: — such number of copies, not exceeding twenty thousand, as he may determine, — so as to read as follows: — *Section 4.* The state secretary shall also, at the close of each regular session of the general court, publish in pamphlet form such number of copies, not exceeding twenty thousand, as he may determine, of the acts and resolves passed and of any proposed amendments to the constitution passed during such session, and shall at his discretion apportion said copies, excepting one thousand which he may reserve in his office for general distribution, among the clerks of the several towns, to be delivered by them to such inhabitants thereof as apply therefor.

Pamphlet edition of laws, printing and distribution.

He shall also, as soon as any act or resolve is passed, send a copy thereof to the following: each state department, officer, board or commission whose duties are affected by any such act or resolve, the clerks of the several towns, for the use of the inhabitants thereof, the justices, clerks and registers of courts, district attorneys, sheriffs, trial justices, justices of the peace authorized to issue warrants and take bail, county law libraries, and all incorporated law libraries and branch libraries maintained by them. He may also send copies to such persons as apply therefor, charging not less than the cost thereof.

Copies of advance sheets of acts and resolves to be sent to certain officers, etc.

Approved March 24, 1922.

AN ACT PROVIDING FOR THE PRESERVATION OF TOWN RECORDS OF BIRTHS, MARRIAGES AND DEATHS PREVIOUS TO THE YEAR EIGHTEEN HUNDRED AND FIFTY.

Chap. 199

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and sixty-two of the acts of nineteen hundred and twenty is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* Whenever the record of the births, marriages and deaths, previous to the year eighteen hundred and fifty, of any town in this commonwealth shall be printed and verified in the manner required by the state secretary and the state librarian and by a corporation, association or individual previously approved by said secretary and the work shall appear to said secretary and librarian to have been done with accuracy, said secretary shall purchase three hundred and fifty copies of the record at a price not exceeding one and one half cents per page; provided, that the written copy of the town records shall become the property of the

1920, 562 § 1, amended.

Preservation of vital records of towns previous to year 1850.

Proviso.

Proviso.

commonwealth and shall be deposited in the office of the said secretary, and provided further, that not more than fifteen thousand dollars shall be expended by authority of this act in any one year.

1920, 562, § 2,
etc., amended.

SECTION 2. Said chapter five hundred and sixty-two, as amended in section two by chapter one hundred and seventy-one of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 2.* The copies of each such record purchased as aforesaid shall be distributed by said secretary, at his discretion, as follows: One to the office of said secretary; one to the supervisor of public records; one to the free public library of each city and town in the commonwealth; one to each state and territorial library in the United States; one to the library of congress; one to each incorporated historical society in the commonwealth; one to the library of each college in the commonwealth; one to each registry of deeds and one to the land court. The remainder shall be placed in the state library for the purposes of exchange.

Approved March 24, 1922.

Distribution
of copies.

Chap. 200 AN ACT RELATIVE TO THE PUBLICATION BY THE DEPARTMENT OF PUBLIC HEALTH OF CERTAIN INFORMATION RELATIVE TO FOODS.

Be it enacted, etc., as follows:

G. L. 111, § 25,
amended.

Section twenty-five of chapter one hundred and eleven of the General Laws is hereby amended by striking out, in the first and second lines, the words "as often as once each month in", and inserting in place thereof the words: — in each issue of, — and also by striking out, in the fifth line, the word "month" and inserting in place thereof the word: — months, — so as to read as follows: — *Section 25.* The department shall publish in each issue of its official departmental publication, and also, if in its opinion the public health can be served thereby, may publish in one or more newspapers in the commonwealth, a certificate of the examination or analysis made under its authority during the preceding months of any article of food manufactured or offered for sale in the commonwealth which is adulterated within the meaning of chapter ninety-four; and it shall also publish, with such certificate of examination, a statement of the trade mark, brand mark or name, with the name and place of business of the manufacturer, appearing upon the package

Publication by
department of
public health
of certain
information
relative
to foods.

or box containing such adulterated article, or with the name and place of business of the wholesale dealer of whom the goods were obtained. *Approved March 27, 1922.*

AN ACT PROVIDING FOR THE REBUILDING BY THE COUNTY OF ESSEX OF THE WESTERLY ABUTMENT OF THE BRIDGE OVER THE POWOW RIVER IN THE TOWN OF AMESBURY. *Chap. 201*

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex, subject to all general laws applicable thereto, are hereby authorized to rebuild the westerly abutment of the bridge over the Powow river near the Merrimack river at Main street in the town of Amesbury.

Essex county commissioners may rebuild westerly abutment of bridge over Powow river in town of Amesbury.

SECTION 2. The cost and expense incurred under this act shall not exceed the sum of twenty thousand dollars and shall be paid, in the first instance, by the county of Essex. The said commissioners may borrow by a temporary loan or loans on the credit of the county such sums, not exceeding the said amount as may from time to time be required for the cost and expense aforesaid, and may renew the same for such periods as may be necessary. All amounts so borrowed shall be deposited in the treasury of the county, and the treasurer shall pay out the same as ordered by the county commissioners, and shall keep a separate and accurate account of all moneys borrowed and expended under the provisions of this act, including interest. Upon the completion of the said rebuilding, the said commissioners shall file in the office of the clerk of courts for said county a detailed statement, certified under their hands, of the actual cost thereof, including land damages, and shall give notice to the town of Amesbury and assess upon the said town a sum equal to sixty per cent of the said cost, and the said town shall pay into the treasury of the county the amount so assessed within sixty days after it is notified by the county that the foregoing provisions of this act have been complied with; and if the said town refuses or neglects to pay the amount assessed, the commissioners shall, after due notice, issue a warrant against the said town for its proportion, with interest and the cost of the notice and warrant, and the same shall be collected and paid into the treasury of the county to be applied in payment of the expense aforesaid.

Payment of Cost.

Temporary loan, etc.

Statement of cost to be filed, etc.

Notice to, and assessment upon town of Amesbury, etc.

SECTION 3. For the purpose of paying the forty per cent of said total cost which is to be borne by the county of Essex,

Essex county may issue bonds or notes to pay its

portion of cost,
etc.

County of
Essex, Powow
River Bridge
Loan, Act of
1922.

Town of
Amesbury
may issue
bonds, etc.

Town of
Amesbury,
Powow River
Bridge Loan,
Act of 1922.

Commissioners
may purchase
or take lands,
etc.

Maintenance
upon comple-
tion.

To be sub-
mitted to
Essex county
commissioners,
etc.
Proviso.

the county treasurer, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, eight thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Essex, Powow River Bridge Loan, Act of 1922, and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date, and the amount of such annual payments in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The town of Amesbury for the purpose of meeting its part of the cost of said rebuilding may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, twelve thousand dollars and may issue bonds or notes therefor, which shall bear on their face the words, Town of Amesbury, Powow River Bridge Loan, Act of 1922. Each authorized issue shall constitute a separate loan and shall be payable within ten years from its date. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall, except as otherwise provided herein, be subject to chapter forty-four of the General Laws. The said county and town may sell the said securities at public or private sale upon such terms and conditions as they may severally deem proper but not for less than par value, and the proceeds of the loan issued by the county shall be used only to pay temporary loans issued in accordance with the provisions of section two or for the said rebuilding, and the proceeds of the securities issued by said town shall be paid into the county treasury to be applied to payment of securities issued by the county in accordance with section two.

SECTION 4. The county commissioners may purchase, or take by eminent domain under chapter seventy-nine of the General Laws, such lands, rights and easements as may be required to carry out the purposes of this act.

SECTION 5. Upon the completion of the work herein authorized, the same shall thereafter be maintained as provided in chapter two hundred and three of the acts of nineteen hundred and eleven.

SECTION 6. This act shall take effect upon its acceptance by the county commissioners of the county of Essex; provided, that such acceptance occurs on or before December thirty-first of the current year. *Approved March 27, 1922.*

AN ACT PROVIDING THAT APPEALS FROM RULINGS OR DECISIONS OF THE REGISTRAR OF MOTOR VEHICLES SHALL NOT OPERATE TO STAY SUCH RULINGS OR DECISIONS. Chap.202

Be it enacted, etc., as follows:

Section twenty-eight of chapter ninety of the General Laws is hereby amended by inserting after the word "annulled" in the fourth line the words: — , but no such appeal shall operate to stay any ruling or decision of the registrar, — so as to read as follows: — *Section 28.* Any person aggrieved by a ruling or decision of the registrar may, within ten days thereafter, appeal from such ruling or decision to the division of highways, which may, after a hearing, order such ruling or decision to be affirmed, modified or annulled, but no such appeal shall operate to stay any ruling or decision of the registrar. In the administration of the laws and regulations relative to motor vehicles the division or its secretary, if so authorized by the division, or the registrar, may summon witnesses in behalf of the commonwealth and may administer oaths and take testimony. The division or the registrar may also cause depositions to be taken, and may order the production of books, papers, agreements and documents. Any person who swears or affirms falsely in regard to any matter or thing respecting which an oath or affirmation is required by the division or by the registrar or by this chapter shall be deemed guilty of perjury. The fees for the attendance and travel of witnesses shall be the same as for witnesses before the superior court, and shall be paid by the commonwealth upon the certificate of the division or the registrar filed with the auditor. The supreme judicial or superior court may, upon the application of the division or the registrar, enforce all lawful orders of the division or the registrar under this section. *Approved March 27, 1922.*

G. L. 90, § 28, amended.

Appeals from rulings or decisions of the registrar of motor vehicles.

Appeals not to operate to stay rulings, etc. Summoning of witnesses, etc.

Fees of witnesses.

Courts may enforce orders, etc.

AN ACT SUBJECTING THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF EAST LONGMEADOW TO THE CIVIL SERVICE LAWS. Chap.203

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter thirty-one of the General Laws and the rules and regulations made thereunder relating to the appointment and removal of police officers shall apply to the office of chief of police of the town of East Longmeadow.

Town of East Longmeadow, office of chief of police made subject to civil service laws.

Present incumbent may continue to hold office, etc.

To be submitted to voters, etc.

SECTION 2. The present incumbent of the said office may continue to hold the same without taking a civil service examination.

SECTION 3. Sections one and two of this act shall severally be submitted for acceptance to the voters of the said town of East Longmeadow at the annual town meeting in the year nineteen hundred and twenty-three in the form of the following questions to be placed on the official ballot to be used at said meeting: — (1) Shall section one of an act passed by the general court in the year nineteen hundred and twenty-two, entitled "An Act subjecting the office of chief of police of the town of East Longmeadow to the civil service laws", be accepted?

(2) Shall section two of said act, permitting the present incumbent of said office to continue to hold said office without taking a civil service examination, be accepted?

When sections one and two take effect.

If a majority of the votes in answer to the first question are in the affirmative, section one of this act shall thereupon take effect, but not otherwise. If a majority of the votes in answer to both questions one and two are in the affirmative, then sections one and two thereof shall take effect, but not otherwise.

Approved March 27, 1922.

Chap. 204 AN ACT RELATIVE TO THE PAYMENT OF THE CLAIM OF OLIVE P. GATELY AGAINST THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1921, 414, § 2, amended.

Section two of chapter four hundred and fourteen of the acts of nineteen hundred and twenty-one is hereby amended by striking out, in the fourth line, the words "current year" and inserting in place thereof the words: — year nineteen hundred and twenty-three, — so as to read as follows: —

Act relative to payment of claim of Olive P. Gately against city of Boston, to be submitted to city council, etc.

Section 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided such acceptance occurs prior to December thirty-first in the year nineteen hundred and twenty-three.

Approved March 27, 1922.

Chap. 205 AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

Be it enacted, etc., as follows:

Appropriations by city of Boston for municipal purposes.

The city of Boston may by vote of the city council, with the approval of the mayor, in the manner specified in section

three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, make appropriations for municipal purposes for the financial year ending on January thirty-first, nineteen hundred and twenty-three, not exceeding the sum of twelve dollars and twenty-five cents on each one thousand dollars of the valuation upon which the appropriations by the city council are based.

Approved March 27, 1922.

AN ACT PROVIDING METHODS FOR THE EXAMINATION OF VINEGAR. Chap.206

Be it enacted, etc., as follows:

Chapter ninety-four of the General Laws is hereby amended by striking out section one hundred and sixty-four and inserting in place thereof the following: — *Section 164.* The methods for the examination of vinegar shall be those adopted by the Association of Official Agricultural Chemists. When no such methods are applicable, such additional methods as are approved by the department of public health and published in its bulletin shall be employed.

G. L. 94, § 164, amended.

Methods for examination of vinegar.

Approved March 27, 1922.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A CERTAIN CLAIM OF THE ATLAS CONSTRUCTION COMPANY. Chap.207

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may compensate the Atlas Construction Company for the extra expense to which the company was put in the construction for the city of a wall on Deer Island by reason of the fact that the company was obliged to take materials from places other than those agreed upon by the city and the company prior to the making of the contract for the building of said wall, but the sum paid hereunder shall not exceed the amount of the said extra expense. For the purpose of receiving said compensation and distributing it to the persons entitled thereto, the Atlas Construction Company is hereby revived, notwithstanding its dissolution by chapter three hundred and thirteen of the acts of nineteen hundred and twelve.

City of Boston may pay certain claim of Atlas Construction Company.

Atlas Construction Company revived for certain purposes.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.

Proviso.

Approved March 27, 1922.

Chap.208 AN ACT RELATIVE TO PAID-UP SHARES IN CO-OPERATIVE BANKS WHICH CEASE TO DO BUSINESS.

Be it enacted, etc., as follows:

G. L. 170, § 19,
amended.

Holders of matured or paid-up shares in co-operative banks which cease to do business, not entitled to any preference, etc.

Section nineteen of chapter one hundred and seventy of the General Laws is hereby amended by inserting after the word "matured" in the twenty-second line the words: — or paid-up, — and by inserting after the word "matured" in the twenty-fourth line the following: — , paid-up, — so that the last sentence will read as follows: — In the event of a dissolution and winding up of such corporation, by process of law or otherwise, any member holding matured or paid-up shares of such corporation shall not thereby be entitled to any preference over any holder of unmatured shares, and all shares, whether matured, paid-up or unmatured, shall be held and treated as belonging to one general class of liability.

Approved March 27, 1922.

Chap.209 AN ACT PROVIDING FOR THE REIMBURSEMENT OF THE TOWN OF GOSNOLD FOR LOSS OF TAXES BY VIRTUE OF THE OWNERSHIP OF PENIKESSE ISLAND BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

Reimbursement of town of Gosnold for loss of taxes by virtue of state ownership of Penikese island.

The town of Gosnold shall, for the year nineteen hundred and twenty-one and for each year thereafter so long as the ownership of Penikese island remains in the commonwealth, be reimbursed by it under sections thirteen to seventeen, inclusive, of chapter fifty-eight of the General Laws for the loss of taxes sustained by such town by virtue of such ownership, to the same extent and in the same manner as though said island were used by the commonwealth for the purposes of a public institution.

Approved March 27, 1922.

Chap.210 AN ACT RELATIVE TO THE EMPLOYMENT BY CITIES AND TOWNS OF LEGISLATIVE COUNSEL AND AGENTS.

Be it enacted, etc., as follows:

G. L. 3, § 50,
amended.

Section fifty of chapter three of the General Laws is hereby amended by inserting after the word "solicitor" in the second line the words: — or an assistant solicitor, — and by adding at the end thereof the following: — ; provided, that such solicitor or assistant solicitor receives no compensation for his services other than the regular salary attaching to his

office, — so as to read as follows: — *Section 50.* Sections thirty-nine to forty-nine, inclusive, shall not apply to the employment by a town of its solicitor or an assistant solicitor to represent it in any legislative proceeding; provided, that such solicitor or assistant solicitor receives no compensation for his services other than the regular salary attaching to his office.

Employment by cities and towns of legislative counsel and agents.
Proviso.

Approved March 27, 1922.

AN ACT PLACING UNDER THE CIVIL SERVICE LAWS THE OFFICE OF CITY ELECTRICIAN IN THE CITY OF PEABODY. *Chap.211*

Be it enacted, etc., as follows:

SECTION 1. The office of city electrician in the city of Peabody shall hereafter be subject to the civil service laws and the rules and regulations made thereunder. The present holder of said office shall continue to hold the same under the civil service, and shall not be required to take any civil service examination.

City of Peabody, office of city electrician placed under civil service laws.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved March 27, 1922.

AN ACT RELATIVE TO ALTERATIONS IN BUILDINGS LEASED BY CO-OPERATIVE BANKS FOR THE TRANSACTION OF BUSINESS. *Chap.212*

Be it enacted, etc., as follows:

Section thirty-one of chapter one hundred and seventy of the General Laws, as amended by chapter one hundred and fifty-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by adding at the end thereof the following sentence: — Any such corporation may, with the approval of the commissioner, expend a sum not exceeding one per cent of its dues capital for alterations in any building leased by it for the transaction of its business, but in no case exceeding its surplus and guaranty fund accounts, — so as to read as follows: — *Section 31.* Any such corporation may, with the approval of the commissioner, invest a sum not exceeding its surplus and guaranty fund accounts in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business, but in no case exceeding two per cent of its dues capital.

G. L. 170, § 31, etc., amended.

Co-operative banks, may hold real estate for transaction of business.

May make alterations in buildings leased, etc.

Any such corporation may, with the approval of the commissioner, expend a sum not exceeding one per cent of its dues capital for alterations in any building leased by it for the transaction of its business, but in no case exceeding its surplus and guaranty fund accounts. *Approved March 27, 1922.*

Chap. 213 AN ACT RELATIVE TO THE GRANTING OF LOCATIONS IN THE CITY OF CAMBRIDGE FOR LINES FOR THE TRANSMISSION OF ELECTRICITY.

Be it enacted, etc., as follows:

City of Cambridge, commission for granting locations for lines for transmission of electricity, established, etc.

SECTION 1. The chairman of the board of license commissioners, the city electrician and the superintendent of streets in the city of Cambridge are hereby constituted a commission, without extra compensation, for the purpose of granting locations in said city for the construction of lines for the transmission of electricity. The said chairman of the board of license commissioners shall be the chairman, and the clerk of said board shall also act as clerk of the commission hereby established.

Powers and duties.

SECTION 2. All the powers and duties conferred or imposed upon the city council, or any other officer or board, of said city by sections twenty-two to twenty-eight, inclusive, of chapter one hundred and sixty-six of the General Laws are hereby transferred to, and shall hereafter be exercised by, the commission established by section one; provided, that said powers and duties shall be exercised and performed subject to the provisions of said chapter one hundred and sixty-six, and provided further, that no permit, authorization or location shall be granted and no order or regulation adopted or enforced by the commission without the approval in writing of the mayor of said city.

Provisos.

SECTION 3. This act shall take effect upon its passage.

Approved March 30, 1922.

Chap. 214 AN ACT RELATIVE TO THE CERTIFICATION OF NAMES ON NOMINATION PAPERS.

Be it enacted, etc., as follows:

G. L. 53, § 7, amended.

SECTION 1. Section seven of chapter fifty-three of the General Laws is hereby amended by striking out all after the word "shall" in the fourteenth line down to and including the word "They" in the seventeenth line, and inserting in place thereof the words: — check each name to be certified

by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district or division for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars, — so as to read as follows: — *Section 7.* Every voter signing a nomination paper shall sign in person, with his name as registered, and shall state his residence on April first preceding, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing or who had the right to vote on May first, eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office as there are persons to be elected thereto, and no more. Every nomination paper of a candidate for a state office shall be submitted, on or before five o'clock in the afternoon of the Friday preceding the day on which it must be filed, to the registrars of the city or town where the signers appear to be voters, and every nomination paper of a candidate for a city or town office shall seasonably be submitted to said registrars. In each case the registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district or division for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars need not certify a greater number of names than are required to make a nomination, increased by one fifth thereof. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The state secretary shall not be required to receive nomination papers for a candidate after receiving such papers containing a sufficient number of certified names to make a nomination, increased by one fifth thereof.

Nomination papers, voters to sign in person, to state residence, etc.

Number that voters may sign.

Submission to registrars of voters.

Certification of names, etc.

Number of names to be certified, etc.

SECTION 2. Section forty-six of said chapter fifty-three is hereby amended by striking out all after the word "shall" in the fourth line down to and including the word "seeks" in the eighth line, and inserting in place thereof the words: — check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the

G. L. 53, § 46, amended.

city or town and in the district for which the nomination is made, and who are not enrolled in any other party than that whose nomination the candidate seeks, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination, — so as to read as follows: —

State primaries, nomination papers, submission to registrars of voters, certification of names, etc.

Section 46. Every nomination paper shall be submitted, on or before five o'clock in the afternoon of the Friday preceding the day on which it must be filed, to the registrars of the city or town in which the signers appear to be voters, who shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and who are not enrolled in any other party than that whose nomination the candidate seeks, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination.

Number of names to be certified, etc.

Meetings of registrars of voters to certify names, etc.

The provisions of section seven relative to the number of names to be certified and received, and to names not certified in the first instance, shall apply to such papers. For the purpose of certifying to the names on primary nomination papers the registrars shall hold meetings on the four Fridays next preceding the date on which such papers are required to be filed with the state secretary, except that for primaries before special elections the meetings shall be held on the two Fridays next preceding such date.

Limitation on candidates.

No person shall be a candidate for nomination for more than one office; but this shall not apply to candidates for membership in political committees or delegations to the state convention.

G. L. 53, § 61, amended.

SECTION 3. Section sixty-one of said chapter fifty-three is hereby amended by striking out all after the word "shall" in the eighth line down to and including the word "They" in the tenth line, and inserting in place thereof the words: — check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination.

City and town primaries, nomination papers, filing, submission to registrars of voters, certification of names, etc.

The registrars, — so as to read as follows: — *Section 61.* All nomination papers of candidates to be voted for at city or town primaries shall be filed with the city or town clerk not less than ten week days previous to the day on which the

primary is to be held for which the nominations are made. Every such nomination paper shall be submitted at or before five o'clock in the afternoon of the Friday preceding the day on which it must be filed to the registrars of the city or town where the signers appear to be voters, and the registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars need not certify a greater number of names than are required to make a nomination, increased by one fifth thereof. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The city or town clerk shall not be required, in any case, to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination, increased by one fifth thereof.

Maximum number of names to be certified, etc.

Approved March 30, 1922.

AN ACT PROHIBITING EMPLOYERS FROM EXEMPTING THEMSELVES FROM LIABILITY FOR CERTAIN INJURIES TO EMPLOYEES.

Chap. 215

Whereas, The deferred operation of this act would tend to deprive certain employees of protection previously guaranteed by law and hence to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after section one hundred and seventy-seven the following new section: — *Section 177A*. No person shall, by a special contract with his employees, exempt himself from liability which he may be under to them for injuries suffered by them in their employment and resulting from the negligence of the employer or of a person in his employ.

G. L. 149, new section after § 177.

Employers shall not exempt themselves from liability for certain injuries to employees.

Approved March 31, 1922.

AN ACT PROVIDING FOR THE TAXATION LOCALLY OF CERTAIN STRUCTURES ERECTED ON LAND IN STATE FORESTS.

Chap. 216

Whereas, A delay in the taking effect of this act would defeat its purpose, therefore it is hereby declared to be an

Emergency preamble.

emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 59, § 5,
second clause,
etc., amended.

Property of the
commonwealth
exempt from
taxation.
Exceptions.

The second clause of section five of chapter fifty-nine of the General Laws, as amended by chapter three hundred and eighty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "seventy-five" in the sixteenth line the following: — , structures erected on land in state forests by persons occupying such land under authority conferred by the commissioner of conservation, — so as to read as follows: — *Second*, Property of the commonwealth, except real estate of which the commonwealth is in possession under a mortgage for condition broken, lands in Boston known as the commonwealth flats, if leased for business purposes, lands and flats lying below high water mark in Provincetown harbor, belonging to the commonwealth of Massachusetts and occupied by private persons by license of the division of waterways and public lands of the department of public works, together with all wharves, piers and other structures which have been built thereon subsequent to the twenty-second day of May, nineteen hundred and twenty, and those which may hereafter be built on said lands and flats, in conformity with permits or licenses granted therefor by said division, which shall be taxed to the persons holding such permits or licenses, buildings erected by lessees under section twenty-six of chapter seventy-five, structures erected on land in state forests by persons occupying such land under authority conferred by the commissioner of conservation, and property taxable under chapter five hundred and seventy-five of the acts of nineteen hundred and twenty.

Approved March 31, 1922.

Chap. 217 AN ACT AUTHORIZING THE TOWN OF WINCHESTER TO INCUR INDEBTEDNESS FOR ADDITIONAL SCHOOL ACCOMMODATIONS.

Be it enacted, etc., as follows:

Town of Win-
chester may
incur indebt-
edness for
school pur-
poses.

SECTION 1. For the purpose of acquiring land for and the construction of school buildings, and of originally equipping and furnishing the same, the town of Winchester may from time to time borrow such sums as may be necessary, not exceeding in the aggregate one hundred and fifty thousand

dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Winchester School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but, except as herein provided, shall be subject to chapter forty-four of the General Laws.

Winchester
School Loan,
Act of 1922.

SECTION 2. The town of Winchester may at its annual meeting in the year nineteen hundred and twenty-two, or at any adjourned session thereof, by a vote in accordance with the articles in the warrant for said meeting relating to the borrowing of money for schoolhouse purposes, authorize the borrowing of money under the provisions of this act, and such authorization shall be fully effective, notwithstanding that the warrant for said meeting was served prior to the passage of this act.

May authorize
borrowing of
money, etc., at
annual meet-
ing, notwith-
standing that
warrant for said
meeting was
served prior to
passage of act.

SECTION 3. This act shall take effect upon its passage.

Approved March 31, 1922.

AN ACT ESTABLISHING THE TENURE OF OFFICE OF CERTAIN OFFICERS AND MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF HAVERHILL.

Chap. 218

Be it enacted, etc., as follows:

SECTION 1. Every officer and member of the fire department of the city of Haverhill, with the exception of the chief engineer of said department, whether now holding, or hereafter elected or appointed to, an office or membership in said department, and whether now elected or appointed for a definite or stated term, or otherwise, shall hold such office or membership continuously during good behavior, and until he shall have been lawfully removed therefrom under the provisions of chapter thirty-one of the General Laws, and of acts in amendment thereof.

City of Haver-
hill, tenure of
office of certain
officers and
members of fire
department.

SECTION 2. So much of sections two and four of chapter one hundred and thirty-five of the acts of eighteen hundred and ninety-three, and so much of any other act or resolve, as is inconsistent with section one of this act, is hereby repealed; and this act shall supersede all provisions of the ordinances of said city in so far as the same are inconsistent herewith.

Repeals, etc.

SECTION 3. This act shall take effect upon its passage.

Approved March 31, 1922.

Chap.219 AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT SUITABLE SHELTERS FOR THE PUBLIC AT THE LYNN SHORE RESERVATION.

Be it enacted, etc., as follows:

Metropolitan district commission may construct suitable shelters for public at Lynn Shore reservation.

SECTION 1. The metropolitan district commission may construct a pavilion or shelter, similar to those at the Revere Beach reservation, upon the Lynn Shore reservation in the city of Lynn, and, for that purpose, may expend a sum not exceeding ten thousand dollars out of the Metropolitan Parks Maintenance Fund.

SECTION 2. This act shall take effect upon its passage.

Approved March 31, 1922.

Chap.220 AN ACT PROVIDING FOR THE RESURFACING AND REPAIR OF MYSTIC VALLEY PARKWAY.

Be it enacted, etc., as follows:

Metropolitan district commission may resurface and repair Mystic Valley parkway.

SECTION 1. The metropolitan district commission may expend, from the Metropolitan Parks Maintenance Fund, Boulevards, a sum not exceeding forty thousand dollars for the resurfacing and repair of Mystic Valley parkway, between Bacon street and Alewife Brook parkway.

SECTION 2. This act shall take effect upon its passage.

Approved March 31, 1922.

Chap.221 AN ACT RELATIVE TO THE FEE AND TO CERTAIN REQUIREMENTS FOR THE REGISTRATION OF DENTISTS COMING FROM OTHER STATES.

Be it enacted, etc., as follows:

G. L. 112, § 48, amended.

Registration of dentists coming from other states, requirements, fee, etc.

Proviso.

Chapter one hundred and twelve of the General Laws is hereby amended by striking out section forty-eight and inserting in place thereof the following: — *Section 48.* The board may, without examination, upon the payment of a fee of twenty-five dollars, register, and issue a certificate to, a dentist who has been lawfully in practice for at least five years in another state, if he presents to the board a certificate of registration, and duration of practice, from the board of dental examiners or other like board of said state; provided, that such other state shall require a degree of competency equal to that required of applicants in this commonwealth and extends a like courtesy to dentists registered in this commonwealth.

Approved March 31, 1922.

AN ACT RELATIVE TO THE EXEMPTION FROM TAXATION OF THE REAL AND PERSONAL ESTATE HELD BY TRUSTEES FOR THE BENEFIT OF INCORPORATED ORGANIZATIONS OF VETERANS. Chap. 222

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Paragraph Fifth of section five of chapter fifty-nine of the General Laws, as amended by section one of chapter four hundred and seventy-four of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "to" in the second line the following: — or held in trust for the benefit of, — and by striking out, in the seventh line, the words "wilfully omits" and inserting in place thereof the words: — or the trustees holding for the benefit of such association wilfully omit, — so as to read as follows: — *Fifth*, The real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of one hundred thousand dollars, if actually used and occupied by such association, and if the net income from said property is used for charitable purposes; but it shall not be exempt for any year in which such association or the trustees holding for the benefit of such association wilfully omit to bring in to the assessors the list and statement required by section twenty-nine. G. L. 59, § 5, par. "Fifth", etc., amended.

Real and personal estate belonging to or held in trust for benefit of incorporated organizations of war veterans, exempt from taxation.

SECTION 2. This act shall take effect as of April first in the current year. Time of taking effect.

Approved March 31, 1922.

AN ACT RELATIVE TO THE ISSUE OF BONDS BY GAS, ELECTRIC AND WATER COMPANIES. Chap. 223

Be it enacted, etc., as follows:

Section thirteen of chapter one hundred and sixty-four of the General Laws is hereby amended by striking out, in the sixth and seventh lines, the words "a rate not exceeding six per cent per annum" and inserting in place thereof the words: — such rate as the department shall approve, and, if issued under a mortgage existing on June second, nineteen G. L. 164, § 13, amended.

Bonds of gas and electric companies, issuance, rate of interest, etc.

Proviso.

Obligations of mortgagees.

hundred and twenty, by the provisions of which the rate of interest on bonds issued thereunder is fixed, at a price and with provisions for amortization of any discount approved by the department as consistent with the public interest; provided, that the terms of the mortgage so permit, — so as to read as follows: — *Section 13.* A corporation subject to this chapter may, by vote of a majority in interest of its stockholders at a meeting called therefor, and subject to the limitations and restrictions of the following section, issue bonds, at not less than par, to an amount not exceeding its capital stock actually paid in at the time of such issue and applied to the purposes of the corporation, and bearing interest at such rate as the department shall approve, and, if issued under a mortgage existing on June second, nineteen hundred and twenty, by the provisions of which the rate of interest on bonds issued thereunder is fixed, at a price and with provisions for amortization of any discount approved by the department as consistent with the public interest; provided, that the terms of the mortgage so permit; and may secure the payment of the principal and interest of said bonds by a mortgage of its franchise and property. All persons who acquire any mains, conduits, poles, wires, fixtures or other apparatus in, over, under or across public ways by virtue of such mortgage shall have the same rights and be subject to the same obligations relative to their erection, care, maintenance and operation as the corporation would have had, or would have been subject to, if the mortgage had not been made.

Approved March 31, 1922.

Chap. 224 AN ACT AUTHORIZING THE COUNTY OF BRISTOL TO PAY A CERTAIN SUM OF MONEY TO THE WIDOW OF FRANK M. CHACE.

Be it enacted, etc., as follows:

Bristol county may pay a sum of money to widow of Frank M. Chace.

SECTION 1. The county of Bristol may pay to the widow of Frank M. Chace, late county commissioner of said county, the remainder of the salary to which he would have been entitled had he lived and served as such until January first, nineteen hundred and twenty-two.

To be submitted to county commissioners.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of said county; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved March 31, 1922.

AN ACT AUTHORIZING THE CONSOLIDATION OF THE SECOND BAPTIST CHURCH OF LAWRENCE, MASSACHUSETTS, AND THE CALVARY BAPTIST CHURCH OF LAWRENCE, MASS. *Chap. 225*

Be it enacted, etc., as follows:

SECTION 1. The Second Baptist Church of Lawrence, Massachusetts and the Calvary Baptist Church of Lawrence, Mass., formerly the First Free Baptist Church of Lawrence, Mass., are hereby consolidated in one corporation under the name of the Calvary Baptist Church of Lawrence, Massachusetts.

Consolidation of Second Baptist Church of Lawrence, Massachusetts, and the Calvary Baptist Church of Lawrence, Mass.

SECTION 2. The votes and proceedings whereby the members of the said Second Baptist Church became members of the said Calvary Baptist Church, and the votes and proceedings changing the name of said First Free Baptist Church to said Calvary Baptist Church of Lawrence, Mass., are hereby ratified and confirmed.

Certain votes and proceedings ratified.

SECTION 3. All powers and privileges of said First Free Baptist Church and said Second Baptist Church shall vest in said Calvary Baptist Church of Lawrence, Massachusetts.

Powers and privileges to vest, etc.

Approved March 31, 1922.

AN ACT RELATIVE TO THE ISSUE OF CAPITAL STOCK BY GAS, ELECTRIC AND WATER COMPANIES. *Chap. 226*

Be it enacted, etc., as follows:

SECTION 1. Section eighteen of chapter one hundred and sixty-four of the General Laws is hereby amended by inserting after the second sentence the following new sentence: — If it deems that such new shares cannot be disposed of to the stockholders or others at or above the par value thereof, it may, notwithstanding the provisions of this or any other section, authorize the issue of such new shares at a price less than the par value thereof and with such requirements for the amortization of the discount as it may deem necessary in the public interest, — so as to read as follows: — *Section 18.* If a gas or electric company increases its capital stock, such new shares shall, except as provided in the following section, be offered proportionately to its stockholders at such price, not less than par, as its directors may fix. The vote of the department, as provided in section fourteen, as to the amount of stock reasonably necessary for the purpose for which such

G. L. 164, § 18, amended.

Capital stock of gas and electric companies, disposition of new shares, etc.

Issue of new shares at price less than par value, etc.

Notice to stockholders of increase of capital stock, etc.

Proviso.

Subscriptions and payments by stockholders.

Directors to give notice of increase, etc.

increase has been authorized, shall be based on the price fixed by the directors, unless the department deems that such price is so low as to be inconsistent with the public interest, in which case it may fix the price at which such shares may be issued. If it deems that such new shares cannot be disposed of to the stockholders or others at or above the par value thereof, it may, notwithstanding the provisions of this or any other section, authorize the issue of such new shares at a price less than the par value thereof and with such requirements for the amortization of the discount as it may deem necessary in the public interest. Its determination shall be made part of the vote of the department as provided in section fourteen, and shall be certified and recorded as therein prescribed. The directors, upon the approval of such increase as provided in section fourteen and the fixing of the price as herein provided, shall cause written notice of such increase to be given to every stockholder who was such at the date of the vote to increase, stating the amount of such increase, the number of shares or fractions of shares to which he, according to the proportionate number of his shares at the date of such vote, is entitled, the price at which he may take them, and fixing a time, not less than fifteen days after the date of such determination, within which he may subscribe for such additional stock; provided, that when the capital stock of the corporation consists of preferred and common stock, the agreement or amended agreement of association or the by-laws or amended by-laws of the corporation may provide that the holders of preferred stock only shall be entitled to subscribe for new or additional preferred stock and that the holders of common stock only shall be entitled to subscribe for new or additional common stock, and that notice of such increase as aforesaid need be given only to the stockholders so entitled to subscribe. Every stockholder entitled to subscribe as aforesaid may, within the time limited, subscribe for his portion of the stock, which shall be paid for in cash before the issue of a certificate therefor. All votes and proceedings relative to the increase, and all rights of stockholders to subscribe for the new shares, shall be void unless the directors, after the vote to increase and within sixty days after final action of the department, shall cause written notice of such increase to be given as herein provided, or, if such increase is within the provisions of the following section, shall dispose of the same as therein provided.

SECTION 2. Section nineteen of said chapter one hundred and sixty-four, as amended by chapter two hundred and forty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "par" in the twelfth line the words: — , or at such price less than par as may have been authorized by the department as provided in section eighteen, — so as to read as follows: — *Section 19.* If an increase subject to the preceding section does not exceed four per cent of the existing stock of the company, the directors, without first offering the shares to the stockholders, may sell them by auction or by tender to the highest bidder in such manner, at such times and upon such terms, not less than par to be paid in cash, as the directors shall determine. Any shares heretofore or hereafter authorized, which, under the provisions of the preceding section, remain unsubscribed for by the stockholders entitled to take them may be sold by the directors at public auction, or may be disposed of at such price, not less than par, or at such price less than par as may have been authorized by the department as provided in section eighteen, and upon such terms and in such manner as the directors may deem advisable, subject to the approval of the department. Such shares as are sold by auction shall be offered for sale in Boston or in such other city or town as the department prescribes, and notice of the time and place of the sale shall be published at least five times, during the ten days immediately preceding the sale, in each of three, at least, of such daily newspapers as the department may prescribe.

G. L. 164, § 19, etc., amended.

Capital stock of gas and electric companies, sale of new shares by auction, price, etc.

Place and notice of sale.

Approved March 31, 1922.

AN ACT RELATIVE TO THE MISUSE OF THE FLAG.

Chap. 227

Be it enacted, etc., as follows:

Section five of chapter two hundred and sixty-four of the General Laws, as amended by chapter two hundred and seventy-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "Legion" in the twentieth line the words: — , or to a post or department of the Veterans of Foreign Wars of the United States, — so as to read as follows: — *Section 5.* Whoever publicly mutilates, tramples upon, defaces or treats contemptuously the flag of the United States or of Massachusetts, whether such flag is public or private property, or whoever displays such flag or any representation thereof upon

G. L. 264, § 5, etc., amended.

Penalty for misuse of the flag, etc.

which are words, figures, advertisements or designs, or who ever exposes to public view, manufactures, sells, exposes for sale, gives away or has in possession for sale or to give away or for use for any purpose, any article or substance, being an article of merchandise or a receptacle of merchandise or articles upon which is attached, through a wrapping or otherwise, engraved or printed in any manner, a representation of the United States flag, or whoever uses any representation of the arms or the great seal of the commonwealth for any advertising or commercial purpose, shall be punished by a fine of not less than ten nor more than one hundred dollars or by imprisonment for not more than one year, or both; but a flag belonging to a grand army post, to a camp of the United Spanish War Veterans, to a post or department of The American Legion, or to a post or department of the Veterans of Foreign Wars of the United States, or belonging to or used in the service of the United States or the commonwealth, may have the names of battles and the name and number of the organization to which such flag belongs inscribed thereon. Words, figures, advertisements or designs attached to, or directly or indirectly connected with, the flag or any representation thereof in such manner that the flag or its representation is used to attract attention to or advertise such words, figures, advertisements or designs, shall for the purposes of this section be deemed to be upon the flag.

Words, etc.,
when deemed
to be upon the
flag.

Approved March 31, 1922.

Chap. 228 AN ACT RELATIVE TO CLERICAL AND STENOGRAPHIC SERVICES FOR THE JUSTICES OF THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

G. L. 221, § 90,
repealed.

SECTION 1. Section ninety of chapter two hundred and twenty-one of the General Laws is hereby repealed.

G. L. 211, § 23,
amended.

SECTION 2. Chapter two hundred and eleven of the General Laws is hereby amended by striking out section twenty-three and inserting in place thereof the following:—

Clerical and
stenographic
services for
justices of
supreme judi-
cial court.

Section 23. The justices of the court shall be allowed annually for law clerks, stenographers and other clerical assistance such amount as shall be appropriated by the general court, to be paid by the commonwealth upon the certificate of the chief justice.

Approved March 31, 1922.

AN ACT EXTENDING THE BENEFITS OF STATE AID TO CERTAIN WIDOWS OF SPANISH WAR VETERANS. Chap. 229

Be it enacted, etc., as follows:

Section seven of chapter one hundred and fifteen of the General Laws, as amended by section three of chapter two hundred and twenty-two of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the eighth line, the word "five" and inserting in place thereof the following:—fifteen in case his service was in the war with Spain or before April eleventh, nineteen hundred and five in case his service was in the Philippine Insurrection or the China Relief Expedition, — so as to read as follows:—

Section 7. The wife of a discharged soldier or sailor shall not be held to belong to any of the foregoing classes, nor shall she receive state aid unless, if the service of the soldier or sailor was in the war with Spain, the Philippine Insurrection or the China Relief Expedition, she was married to him before his final discharge from such service, and, if his widow, before April eleventh, nineteen hundred and fifteen in case his service was in the war with Spain or before April eleventh, nineteen hundred and five in case his service was in the Philippine Insurrection or the China Relief Expedition, and if his service was in the civil war unless she was, if his wife, married to him prior to his final discharge from such service, and, if his widow, prior to June twenty-seventh, eighteen hundred and ninety, and if the service of the soldier or sailor was on the Mexican border or in the world war unless she was married to him prior to his final discharge from the service or release from active duty therein, and, if his widow, prior to July first, nineteen hundred and nineteen.

G. L. 115, § 7,
etc., amended.

Restrictions as
to wife or
widow on al-
lowances of
state aid.

Approved March 31, 1922.

AN ACT AMENDING THE CHARTER AND EXTENDING THE CORPORATE POWERS OF THE TRUSTEES OF ANATOLIA COLLEGE. Chap. 230

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and six of the acts of eighteen hundred and ninety-four is hereby amended by striking out, in the fifth, sixth and seventh lines, the words " , members of the prudential committee of the

1894, 106, § 1,
amended.

The Trustees of
Anatolia Col-
lege, incorpo-
rated.

Powers, etc.

Number,
classes and
terms of
trustees.

1894, 106, § 3,
amended.

May have seal,
etc.

May take and
hold real and
personal estate.

American Board of Commissioners for Foreign Missions, and their successors in that office," and by inserting after the word "men", in the tenth line the words:— and women, — and by striking out the last sentence and inserting in place thereof the following:— The trustees shall number not less than nine nor more than eighteen, and shall be divided into three approximately equal classes: one class to serve three years, one class two years, and one class one year; and at the expiration of their several terms, their successors shall be chosen in classes for terms of three years each, — so as to read as follows:— *Section 1.* Edwin B. Webb, Joseph S. Ropes, Charles C. Burr, Albert H. Plumb, William P. Ellison, G. Henry Whitcomb, A. Lyman Williston, James G. Vose, James M. W. Hall, Henry D. Hyde, John E. Tuttle, William W. Jordan and Elijah Horr are hereby constituted a body corporate by the name of The Trustees of Anatolia College, with power to maintain an institution for the education of young men and women; and they and their successors, and such persons as shall be duly elected members of such corporation, shall be and remain a body corporate by that name forever; and for the orderly conducting of the business of said corporation the members of said corporation shall have the power and authority from time to time, as occasion may require, to elect a chairman, a clerk, a treasurer, and such other officers of said corporation as may be found necessary, and to declare the duties and tenures of such offices. The trustees shall number not less than nine nor more than eighteen, and shall be divided into three approximately equal classes: one class to serve three years, one class two years, and one class one year; and at the expiration of their several terms, their successors shall be chosen in classes for terms of three years each.

SECTION 2. Section three of said chapter one hundred and six is hereby amended by striking out all after the word "personal" in the ninth line, so as to read as follows:—

Section 3. Said corporation may have a common seal, which they may alter or renew at their pleasure, and all deeds sealed with the seal of said corporation and signed by their order shall, when made in their corporate name, be considered in law as the deeds of said corporation; and said corporation shall be capable of taking and holding in fee simple or any less estate, by gift, grant, bequest, devise or otherwise, any lands, tenements or other estate, real or personal.

SECTION 3. Section five of said chapter one hundred and six is hereby amended by inserting before the word "No" in the first line the words: — The work of the institution shall be conducted on a Christian basis, but, — so as to read as follows: — *Section 5.* The work of the institution shall be conducted on a Christian basis, but no student in said college shall be refused admission to or denied any of the privileges, honors or degrees of said college on account of the religious opinions he may entertain. *Approved March 31, 1922.*

1894, 106, § 5,
amended.

Work to be
conducted upon
a Christian
basis, etc.

AN ACT RELATIVE TO THE INSTRUCTION OF CERTAIN MENTALLY RETARDED CHILDREN.

Chap. 231

Be it enacted, etc., as follows:

Section forty-six of chapter seventy-one of the General Laws is hereby amended by adding at the end thereof the following: — No child under the control of the department of public welfare or of the child welfare division of the institutions department of the city of Boston who is three years or more retarded in mental development within the meaning of this section, shall, after complaint made by the school committee to the department of public welfare or said division, be placed in a town which is not required to maintain a special class as provided for in this section, — so as to read as follows: — *Section 46.* The school committee of every town shall annually ascertain, under regulations prescribed by the department and the commissioner of mental diseases, the number of children three years or more retarded in mental development in attendance upon its public schools, or of school age and resident therein. At the beginning of each school year, the committee of every town where there are ten or more such children shall establish special classes for their instruction according to their mental attainments, under regulations prescribed by the department. No child under the control of the department of public welfare or of the child welfare division of the institutions department of the city of Boston who is three years or more retarded in mental development within the meaning of this section, shall, after complaint made by the school committee to the department of public welfare or said division, be placed in a town which is not required to maintain a special class as provided for in this section. *Approved March 31, 1922.*

G. L. 71, § 46,
amended.

Instruction of
mentally re-
tarded children.

Restrictions as
to certain chil-
dren under
control of de-
partment of
public welfare,
etc.

Chap.232 AN ACT MAKING AN APPROPRIATION TO CONTINUE THE WORK OF CLEARING THE FORESTS OF THE METROPOLITAN PARKS OF FALLEN TREES AND BROKEN LIMBS AND BRANCHES.

Be it enacted, etc., as follows:

Appropriation to continue work of clearing forests of metropolitan parks of fallen trees, etc.

For continuing the work of the special commission, created by chapter thirteen of the acts of the present year, in clearing the forests of the metropolitan parks of fallen trees and broken limbs and branches, there is hereby appropriated, in addition to any amount heretofore appropriated for the purpose, the further sum of fifty thousand dollars to be paid from the Metropolitan Parks Maintenance Fund and assessed upon the cities and towns of the metropolitan parks district, in accordance with the law relative to assessments for the maintenance of metropolitan parks.

Approved March 31, 1922.

Chap.233 AN ACT AUTHORIZING THE TOWN OF DRACUT TO COMPENSATE MARY GERTRUDE McDONALD FOR CERTAIN INJURIES.

Be it enacted, etc., as follows:

Town of Dracut may compensate Mary Gertrude McDonald for certain injuries.

SECTION 1. The town of Dracut may pay to Joseph W. McDonald of Dracut, father and next friend of Mary Gertrude McDonald, minor, for the use of the said Mary Gertrude McDonald, a sum not exceeding one thousand dollars, as compensation for injuries sustained by her while riding to school in the conveyance provided by the town.

To take effect upon acceptance by town.

SECTION 2. This act shall take effect upon its acceptance by the said town in town meeting.

Approved March 31, 1922.

Chap.234 AN ACT PROVIDING FOR AN ANNUAL VACATION OF TWO WEEKS FOR CERTAIN SCRUB WOMEN OR CLEANERS EMPLOYED BY THE SUPERINTENDENT OF BUILDINGS.

Be it enacted, etc., as follows:

G. L. 8, § 5, amended.

Section five of chapter eight of the General Laws is hereby amended by adding at the end thereof the following:— Scrub women or cleaners regularly employed by the superintendent of buildings under the preceding section, who have been so employed for a period of at least six months, shall be entitled to a vacation each year of two weeks' duration

with pay. Such pay shall be based upon the average weekly compensation received by them for the preceding six months' period of employment, — so as to read as follows: — *Section 5.* He shall fix the compensation of all persons employed by him; provided, that the minimum wage paid to scrub women employed by the commonwealth shall be not less than forty cents an hour and provided, that such compensation shall not exceed in the aggregate the sums annually appropriated therefor by the general court. Scrub women employed in the state house by the superintendent shall be paid weekly. Scrub women or cleaners regularly employed by the superintendent of buildings under the preceding section, who have been so employed for a period of at least six months, shall be entitled to a vacation each year of two weeks' duration with pay. Such pay shall be based upon the average weekly compensation received by them for the preceding six months' period of employment.

Compensation of employees of superintendent of buildings. Provisos.

Vacations for scrub women or cleaners.

Approved March 31, 1922.

AN ACT AUTHORIZING THE CITY OF REVERE TO INCUR INDEBTEDNESS FOR THE CONSTRUCTION AND RAISING OF A DIKE AT CHARLES FREDERICK PARK.

Chap. 235

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and raising the dike at Charles Frederick park, the city of Revere may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, forty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Revere Dike Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable within ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

City of Revere may incur indebtedness for constructing, etc., a dike.

Revere Dike Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1922.

AN ACT AUTHORIZING THE CITY OF WALTHAM TO INCUR INDEBTEDNESS FOR A SOUTH JUNIOR HIGH SCHOOL.

Chap. 236

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing or otherwise acquiring land for a south junior high school and for the

City of Waltham may borrow money for school purposes.

Waltham South
Junior High
School Loan,
Act of 1922.

original construction of a building for such school, including the original equipment and furnishing of the same, the city of Waltham may, from time to time, borrow such sums as may be necessary, not exceeding in the aggregate three hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Waltham South Junior High School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1922.

Chap. 237 AN ACT PROVIDING FOR BIENNIAL ELECTIONS UNDER THE
STANDARD FORMS OF CITY CHARTERS.

Be it enacted, etc., as follows:

G. L. 43, § 1,
amended.

SECTION 1. Section one of chapter forty-three of the General Laws is hereby amended by inserting after the word "annual" in the twenty-third line the words: — or biennial, — so that the last paragraph of said section will read as follows: — "Regular municipal election", the annual or biennial election of municipal officers for which provision is made in this chapter.

"Regular
municipal elec-
tion", term
defined.

G. L. 43, § 8,
amended.

SECTION 2. Section eight of said chapter forty-three is hereby amended by inserting after the comma at the end of the eleventh line the words: — with elections to be held (annually, biennially in every even numbered year, or biennially in every odd numbered year), — so as to read as follows: — *Section 8.* The petition shall be in substantially the following form: *To the city council (or other legislative body) of the city of* . We, the undersigned, qualified voters of the city, respectfully petition your honorable body to cause to be submitted to a vote of the voters the following question: "Shall the city of adopt the form of government defined as Plan (A, B, C, or D, as it is desired by petitioners), and consisting of (describe plan briefly, as government by mayor and nine councillors elected at large, or government by a mayor and councillors elected partly at large and partly from wards or districts, or government by five commissioners, one of whom shall be the mayor, or government by a mayor and four councillors, with a city

Form of peti-
tion to city
council calling
for vote on
adoption of cer-
tain plan of
government.

manager), with elections to be held (annually, biennially in every even numbered year, or biennially in every odd numbered year) according to chapter forty-three of the General Laws relating to city charters?"

The petition may be in the form of separate sheets, each sheet containing at the top thereof the heading above set forth, and when attached together and offered for filing the several papers shall be deemed to constitute one petition, and there shall be endorsed thereon the name and address of the person presenting the same for filing.

Separate sheets may be used.

SECTION 3. Said chapter forty-three is hereby amended by striking out section fifteen and inserting in place thereof the following: — *Section 15.* Except as provided in this section, the first city election next succeeding the adoption of any plan provided for by this chapter shall take place on the third Tuesday of December next succeeding such adoption, and thereafter the city election shall take place annually on the Tuesday next following the first Monday of December, and the municipal year shall begin and end at ten o'clock in the morning of the first Monday of January in each year. If the plan adopted provides for elections to be held biennially in every even numbered year, then the regular municipal election next succeeding the adoption of such plan shall take place on the third Tuesday of December succeeding such adoption, and thereafter said election shall take place biennially on the Tuesday next following the first Monday of December, in every even numbered year.

G. L. 43, § 15, amended.

Dates of city elections, etc., upon adoption of plan of government.

Biennial elections.

If the plan adopted provides for elections to be held biennially in every odd numbered year, then the regular municipal election held under the provisions of such plan shall take place on the Tuesday next following the first Monday of December in every odd numbered year.

SECTION 4. Section seventeen of said chapter forty-three is hereby amended by inserting after the word "January" in the first line the words: — , following a regular municipal election, — so as to read as follows: — *Section 17.* On the first Monday in January, following a regular municipal election, at ten o'clock in the forenoon, the mayor-elect and the councillors-elect, and assessors-elect if elected by the people, shall meet and be sworn to the faithful discharge of their duties. The oath may be administered by the city clerk or by a justice of the peace, and a certificate thereof shall be entered on the journal of the city council. At any meeting

G. L. 43, § 17, amended.

Mayor elect, councillors-elect, etc., time of meeting, administration of oath, etc.

thereafter the oath may be administered in the presence of the city council to the mayor, or to any councillor absent from the meeting on the first Monday in January.

G. L. 43, § 31,
amended.

SECTION 5. Section thirty-one of said chapter forty-three is hereby amended by striking out the words "annual city" in the third line and inserting in place thereof the words: — regular municipal, — and by inserting after the word "elected" in the fourth line the words: — , except as provided in this section, — and by adding at the end thereof the following: — If the plan adopted provides for elections to be held biennially, there shall be elected at the first regular municipal election held under the provisions of such plan, three members to serve for two years and three members to serve for four years, and biennially thereafter three members to serve for four years, — so as to read as follows: — *Section 31.* The school committee shall consist of the mayor, who shall be the chairman, and six members elected at large. At the first regular municipal election held in any city after its adoption of one of the plans provided in this chapter, there shall be elected, except as provided in this section, two members to serve for one year, two for two years and two for three years, and annually thereafter there shall be elected two members to serve for three years. If the plan adopted provides for elections to be held biennially, there shall be elected at the first regular municipal election held under the provisions of such plan, three members to serve for two years and three members to serve for four years, and biennially thereafter three members to serve for four years.

School committee,
number,
election,
term, etc.

Biennial
elections.

G. L. 43, § 36,
amended.

Vacancies in
school committee,
filling of.

SECTION 6. Said chapter forty-three is hereby amended by striking out section thirty-six and inserting in place thereof the following: — *Section 36.* If a vacancy occurs in the school committee by failure to elect, or otherwise, the city council and the remaining members of the school committee shall meet in joint convention and elect a suitable person to fill the vacancy until the first Monday in January following the next regular municipal election; and, if there would be a vacancy on said first Monday, it shall be filled at such regular municipal election for the balance of the unexpired term. The mayor, if present, shall preside at the convention.

G. L. 43, § 40,
amended.

Initiative petitions,
proceedings if petitions

SECTION 7. Section forty of said chapter forty-three is hereby amended by striking out the words "annual city" in the seventh line and inserting in place thereof the words: — regular municipal, — so as to read as follows: — *Section 40.* If an initiative petition is signed by registered voters equal

in number to at least eight per cent but less than twenty per cent of the total number of registered voters, and said measure be not passed without alteration within twenty days by the city council or the school committee, as provided in the preceding section, such proposed measure, without alteration, shall be submitted by the city council to a vote of the registered voters of the city at the next regular municipal election; and if under this or the preceding section it shall be approved by a majority of the registered voters voting thereon such proposed measure shall become law.

are not fully
signed.

SECTION 8. Section fifty of said chapter forty-three is hereby amended by inserting after the letter "A" in the fifth line the words: — , except as otherwise provided in this section, — and by adding at the end thereof the following: — If the plan adopted provides for elections to be held biennially, at the first regular municipal election held under the provisions of such plan and at each biennial election thereafter, there shall be elected nine members of the city council to serve for two years from the first day of January following their election and until their successors are qualified, — so as to read as follows: — *Section 50.* The legislative powers of the city shall be vested in a city council, consisting of nine persons, elected at large by and from the qualified voters of the city. One of its members shall be elected by the council annually as its president. At the first election held in a city after its adoption of Plan A, except as otherwise provided in this section, the five candidates receiving the largest number of votes shall hold office for two years, and the four receiving the next largest number of votes shall hold office for one year. Thereafter, as these terms expire, there shall be elected at each annual city election a sufficient number of members to fill the vacancies created by the expiration of said terms, each member so elected to serve for two years.

G. L. 43, § 50,
amended.

City council,
number, elec-
tion, etc.,
under "Plan
A."

If the plan adopted provides for elections to be held biennially, at the first regular municipal election held under the provisions of such plan and at each biennial election thereafter, there shall be elected nine members of the city council to serve for two years from the first day of January following their election and until their successors are qualified.

Biennial
elections.

SECTION 9. Said chapter forty-three is hereby further amended by striking out section fifty-nine and inserting in place thereof the following: — *Section 59.* The legislative powers of the city shall be vested in a city council. One of its members shall be elected by the council annually as its

G. L. 43, § 59,
amended.

City council,
number, elec-
tion, etc.,
under "Plan
B."

president. In cities having more than seven wards, the city council shall be composed of fifteen members, of whom one shall be elected from each ward by and from the qualified voters of that ward, and the remaining members shall be elected by and from the qualified voters of the city. In cities having seven wards or less, the city council shall be composed of eleven members, of whom one shall be elected from each ward by and from the qualified voters of that ward, and the remaining members shall be elected by and from the qualified voters of the city.

Terms of office.

At the first regular municipal election held in a city after its adoption of Plan B, except as otherwise provided in this section, the councillors elected from each ward shall be elected to serve for one year, and those elected at large shall be elected to serve for two years, from the first Monday in January following their election and until their successors are qualified; and at each regular municipal election thereafter the councillors elected to fill vacancies caused by the expiration of the terms of councillors shall be elected to serve for two years.

Biennial elections.

If the plan adopted provides for elections to be held biennially, at the first regular municipal election held under the provisions of such plan and at each biennial election thereafter, all the councillors whether elected at large or by wards shall be elected to serve for two years from the first day of January following their election and until their successors are qualified.

G. L. 43, § 68, amended.

City council, terms of office, under "Plan C."

Proviso.

SECTION 10. Said chapter forty-three is hereby further amended by striking out section sixty-eight and inserting in place thereof the following: — *Section 68.* The terms of office of the members of the council shall commence at ten o'clock in the forenoon of the first Monday in January following their election and shall be for two years each, and until their successors are qualified; provided, that, if the plan adopted provides for elections to be held annually, the terms of office of the commissioner of administration, of the commissioner of finance and of the commissioner of health elected at the first regular election held under such plan shall be for two years, and the terms of office of the commissioner of public works and of the commissioner of public property so elected shall be for one year.

G. L. 43, § 82, amended.

City council, membership, election, terms,

SECTION 11. Said chapter forty-three is hereby further amended by striking out section eighty-two and inserting in place thereof the following: — *Section 82.* The city council shall consist of four members and the mayor, to be elected

by and from the qualified voters of the city for terms of two years and until their successors are elected and qualified; provided, that if the plan adopted provides for elections to be held annually, the two candidates for the city council having the highest number of votes at the first regular election held under such plan shall serve for two years and the two candidates for the city council having the next highest number of votes shall serve for one year. If the office of mayor becomes vacant, the remaining members of the council shall choose from their own number his successor for the unexpired term.

etc., under
"Plan D."
Proviso.

SECTION 12. This act shall not apply to any city that has already adopted any plan provided by said chapter forty-three.

Not applicable
to certain cities.

Approved April 3, 1922.

AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS
IN THE CITY OF FALL RIVER.

Chap. 238

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and ninety-three of the acts of nineteen hundred and two, as amended in section three by section one of chapter one hundred and one of the acts of nineteen hundred and eight, is hereby further amended by striking out said section three and inserting in place thereof the following: — *Section 3.* The municipal election shall take place biennially in every odd-numbered year, beginning in the year nineteen hundred and twenty-three, on the Tuesday next after the first Monday of December, and the municipal year shall begin on the first Monday of January in each year.

1902, 393, § 3,
etc., amended.

City of Fall
River, biennial
municipal elec-
tions, municipi-
al year, etc.

SECTION 2. Said chapter three hundred and ninety-three, as amended in section six by section one of chapter two hundred and twenty-five of the acts of nineteen hundred and three, is hereby further amended by striking out said section six and inserting in place thereof the following: — *Section 6.* The city council shall consist of a single body called the board of aldermen, composed of twenty-seven members to be elected at each biennial municipal election for terms of two years, as follows: — One alderman shall be elected by all the voters of the city from the voters of each of the nine wards, and two aldermen shall be elected by and from the voters of each of said wards.

1902, 393, § 6,
etc., amended.

Board of alder-
men, number,
election, terms,
etc.

SECTION 3. Said chapter three hundred and ninety-three, as amended in section eight by section two of chapter two hundred and twenty-five of the acts of nineteen hundred and

1902, 393, § 8,
etc., amended.

Meeting of
mayor-elect
and aldermen-
elect, oath of
office, etc.

Organization
of board of
aldermen, etc.

1902, 393, § 25,
amended.

School commit-
tee, number,
election,
terms, etc.

No municipal
election in
year 1922.

Certain officials
to continue to
hold office
until, etc.

three and by chapter eighteen of the acts of the current year, is hereby further amended by striking out said section eight and inserting in place thereof the following:— *Section 8.* On the first Monday of January, or, if a holiday then on the following day, in every even-numbered year, beginning with the year nineteen hundred and twenty-four, at ten o'clock in the morning, the mayor-elect and aldermen-elect shall meet and shall be sworn to the faithful performance of their duties. At any time thereafter the oath may be administered to the mayor-elect or to any alderman-elect who was absent or was not then elected. After the mayor-elect and the aldermen-elect, or a majority thereof, have been sworn the board of aldermen shall be called together by the mayor, and a president and vice president shall forthwith be elected from the board, in the order named. The mayor shall preside pending the election of a president, who, when elected, shall preside during the election of a vice president. No other business shall be transacted by the aldermen until the officers aforesaid have been elected. The city clerk shall be clerk of the board of aldermen.

SECTION 4. Said chapter three hundred and ninety-three is hereby further amended by striking out section twenty-five and inserting in place thereof the following:— *Section 25.* The school committee shall consist of such number of persons, not less than nine and divisible by three, as the board of aldermen shall from time to time determine. In the year nineteen hundred and twenty-three, one third of the members of the school committee shall be elected for four years and one third for six years, and at every biennial municipal election thereafter one third of the members shall be elected for six years. The term of office of each member so elected shall begin on the first Monday of January in the year following his election.

SECTION 5. There shall be no municipal election in the city of Fall River in the year nineteen hundred and twenty-two. The mayor and members of the board of aldermen and school committee of said city whose terms of office would expire, under existing law, on the first Monday of January, nineteen hundred and twenty-three, shall continue to hold office until the first Monday of January in the year nineteen hundred and twenty-four, and their successors shall be elected at the biennial municipal election in the year nineteen hundred and twenty-three. Members of the school committee whose terms of office would expire on the first

Monday of January, nineteen hundred and twenty-five, shall continue to hold office until the first Monday of January, nineteen hundred and twenty-six.

SECTION 6. The terms of office of all heads of departments in said city chosen by the board of aldermen which would expire at any time in the year nineteen hundred and twenty-three are hereby extended one year.

Terms of office of certain heads of departments, extended.

SECTION 7. This act shall be submitted to the voters of said city of Fall River at the state election in the current year, in the form of the following question to be placed upon the official ballot to be used at said election: — "Shall an act passed by the general court in the current year, providing for biennial municipal elections in the city of Fall River, be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall take effect; otherwise it shall not take effect.

To be submitted to voters, etc.

Approved April 3, 1922.

AN ACT RELATIVE TO THE DEDUCTION OF REAL ESTATE MORTGAGES IN THE TAXATION OF TRUST COMPANIES.

Chap. 239

Be it enacted, etc., as follows:

Section fourteen of chapter sixty-three of the General Laws is hereby amended by adding at the end thereof the following: — , except that investments in real estate mortgages deductible under section twelve or fifty-six may be deducted under both said sections; provided, that the same mortgage investment shall not be considered during the same calendar month in determining the daily average of mortgages deductible under section twelve and the monthly average deductible under section fifty-six, — so as to read as follows: — *Section 14.* No investment of deposits in the savings department of any trust company exempt in any year from the tax imposed by section eleven shall be in the same year a basis for any deduction allowed in computing any other tax which trust companies are required by law to pay, except that investments in real estate mortgages deductible under section twelve or fifty-six may be deducted under both said sections; provided, that the same mortgage investment shall not be considered during the same calendar month in determining the daily average of mortgages deductible under section twelve and the monthly average deductible under section fifty-six.

G. L. 63, § 14, amended.

Investments in savings department not to be basis of deduction from other taxes on trust companies.

Deduction of real estate mortgages.

Proviso.

Approved April 3, 1922.

Chap. 240 AN ACT RELATIVE TO THE TIME FOR FILING APPLICATIONS
FOR CERTAIN PAYMENTS TO SOLDIERS AND SAILORS.

Emergency
preamble.

Whereas, The deferred operation of this act would be inconsistent with its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

State pay for
Massachusetts
soldiers and
sailors, time for
filing applica-
tions, etc.

SECTION 1. No payment shall be made by the treasurer and receiver-general under the provisions of chapter two hundred and eleven of the General Acts of nineteen hundred and seventeen, as affected by chapter three hundred and thirty-two of said General Acts, by chapter ninety-two of the General Acts of nineteen hundred and eighteen and by section one of chapter three hundred and twenty-six of the acts of nineteen hundred and twenty-one, upon any application filed with the said treasurer after November thirtieth, nineteen hundred and twenty-three.

1919, 283 (G),
§4, etc.,
amended.

SECTION 2. Section four of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen, as amended by section one of chapter two hundred and fifty of the acts of nineteen hundred and twenty and by section two of chapter three hundred and twenty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the third and fourth lines, the word "twenty-one" and inserting in place thereof the word: — twenty-three,— so as to read as follows: — *Section 4.* Applications hereunder shall be filed with the treasurer and receiver-general before twelve o'clock, noon, of November thirtieth, nineteen hundred and twenty-three, upon forms to be furnished by him. The treasurer and receiver-general may accept the written statement of an assessor of a city or town that a person claiming pay or on whose account pay is claimed by a dependent or heir-at-law, under the provisions of this act, was a resident thereof on the first day of April, in any year, as prima facie evidence of the fact of such residence, and he may accept such other evidence of residence as he may consider adequate. The assessors of the several cities and towns shall, at the request of the treasurer and receiver-general, forthwith furnish such information relative to such residence as their records may disclose.

"Bonus", so-
called, for
Massachusetts
soldiers and
sailors, time for
filing applica-
tions, etc.

Approved April 5, 1922.

AN ACT INCREASING THE TIME FOR NOTICE IN ACTIONS Chap.241
AGAINST ABUTTING OWNERS FOR DEFECTIVE CONDITION OF
THEIR PREMISES OR OF ADJOINING WAYS, WHEN CAUSED
BY SNOW OR ICE.

Be it enacted, etc., as follows:

Chapter eighty-four of the General Laws is hereby amended by striking out section twenty-one and inserting in place thereof the following:— *Section 21.* The three preceding sections, so far as they relate to notices of injuries resulting from snow or ice, shall apply to actions against persons founded upon the defective condition of their premises, or of adjoining ways, when caused by or consisting in part of snow or ice; provided, that notice within thirty days after the injury shall be sufficient, and that if by reason of physical or mental incapacity it is impossible for the injured person to give the notice within thirty days after the injury, he may give it within thirty days after such incapacity has been removed, and in case of his death without having been for thirty days at any time after his injury of sufficient capacity to give the notice, his executor or administrator may give the notice within thirty days after his appointment. Such notice may be given by leaving it with the occupant of said premises, or, if there is no occupant, by posting it in a conspicuous place thereon, and no such notice shall be invalid by reason of any inaccuracy or misstatement in respect to the owner's name if it appears that such error was made in good faith and did not prevent or unreasonably delay the owner from receiving actual notice of the injury and of the contention that it occurred from the defective condition of his premises or of a way adjoining the same.

G. L. 84, § 21,
amended.

Notice in
actions against
abutting owners
for defective
condition of
their premises
or of adjoining
ways, when
caused by snow
or ice.
Proviso.

Approved April 5, 1922.

AN ACT RELATIVE TO THE NAMING OF THIRD PARTIES IN Chap.242
PROCEEDINGS FOR SEPARATE SUPPORT.

Be it enacted, etc., as follows:

Chapter two hundred and nine of the General Laws is hereby amended by inserting after section thirty-two the following new sections:— *Section 32A.* If, in any proceedings under section thirty-two, adultery or any other specific criminal act with a third person is alleged in the petition, answer, or in any bill of particulars or specifications, or if

G. L. 209, new
sections after
§ 32.

Naming of
third parties in
proceedings for
separate sup-
port.

Ex parte
hearings.

Evidence pro-
duced at ex
parte hearings
not to be re-
ported, etc.

Persons named
may appear
and defend,
etc.

any allegations are made in such pleadings which would be derogatory to the character or reputation of a third person, if named therein, the pleadings shall not contain the name of such third person. The party making such allegations may, at any time after filing the pleadings containing the same, upon an ex parte hearing before a judge of the court in which the proceedings are pending, obtain permission to amend such pleadings by inserting the name of the person concerning whom the allegations are made, if the judge finds probable cause has been shown that such allegations are true; and thereupon the pleadings may be amended accordingly and notice of said amendment shall be sent to all parties interested. *Section 32B.* The evidence produced at such ex parte hearing shall not be reported or made a part of the record in the case, and the motion for said amendment shall not be read in open court during the proceedings, but the register shall make an entry in the docket of "Motion to insert name of third person allowed", or "Motion to insert name of third person denied", as the case may be. If the amendment is allowed upon affidavits, they shall be retained by the court and placed in the custody of the register, and shall be open for the purposes of inspection and taking copies thereof to counsel of record, the parties or the third person named in the amendment. *Section 32C.* Any person whose name has been inserted in the pleadings by amendment in accordance with the two preceding sections may appear in person or by attorney and defend himself against the allegations contained in such pleadings.

Approved April 5, 1922.

Chap. 243 AN ACT RELATIVE TO THE POWERS OF THE CHILDREN'S AID ASSOCIATION OF HAMPSHIRE COUNTY.

Be it enacted, etc., as follows:

Powers of the
Children's Aid
Association of
Hampshire
County.

The Children's Aid Association of Hampshire County, a corporation organized under chapter one hundred and twenty-five of the Revised Laws, may be appointed guardian of any minor child in its care, with the same powers and duties as are prescribed for guardians of minor children by chapter two hundred and one of the General Laws.

Approved April 5, 1922.

AN ACT AUTHORIZING THE TOWN OF WHATELY TO BORROW *Chap.244*
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing additions to the school house in the easterly section of the town of Whately, the said town may, from time to time, borrow such sums as may be necessary, not exceeding in the aggregate sixteen thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Whately School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of
Whately may
borrow money
for school
purposes.

Whately School
Loan, Act of
1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1922.

AN ACT AUTHORIZING THE BOSTON AND MAINE RAILROAD *Chap.245*
TO ACQUIRE THE FRANCHISES AND PROPERTY OF CERTAIN
RAILROAD CORPORATIONS.

Whereas, The deferred operation of this act would defeat its purpose to provide with the least possible delay for certain economies in railroad transportation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. The Boston and Maine Railroad is hereby authorized, from time to time, to acquire by transfer or merger the whole or any part of the property and franchises of any or all of the following subsidiary corporations, whether their roads are in or outside of the commonwealth, to wit: the Nashua & Acton Railroad, organized under the laws of Massachusetts and New Hampshire, and the Vermont Valley Railroad, organized under the laws of Vermont, the entire capital stock of each of which is owned by the Boston and Maine Railroad; The Sullivan County Railroad, organized under the laws of New Hampshire, all the capital stock of which is owned by the Vermont Valley Railroad; the Barre & Chelsea Railroad Company and Montpelier & Wells River Railroad, both organized under the laws of Vermont,

Boston and
Maine Railroad
may acquire the
franchises and
property of
certain railroad
corporations.

Terms.

Copies of agreements to be filed in office of state secretary.

Powers, privileges, obligations, etc., of Boston and Maine Railroad upon acquiring property and franchises, etc.

Boston and Maine Railroad may purchase stock, bonds, etc.

substantially the entire capital stock of each of which is owned by the Vermont Valley Railroad; the York Harbor & Beach Railroad Company, organized under the laws of Maine, and The St. Johnsbury & Lake Champlain Railroad Company, organized under the laws of Vermont, a majority of the capital stock of each of which is owned by the Boston and Maine Railroad; and said subsidiary corporations are hereby authorized to transfer and convey or merge the whole or any part of their properties and franchises, subject to existing debts and obligations, to or with the Boston and Maine Railroad; on such terms, however, as may be agreed to by the respective boards of directors of the acquiring and transferring corporations and approved at meetings called for the purpose, by a majority in interest of the stockholders of the acquiring corporation and by a majority in interest of the stockholders, including said Boston and Maine Railroad, of the transferring corporation, and also approved by the department of public utilities as consistent with the public interest. A copy of each agreement of transfer and conveyance or merger, certified by the clerk of the Boston and Maine Railroad, shall be filed in the office of the state secretary, and no agreement shall become effective until such copy shall have been so filed.

SECTION 2. In case the Boston and Maine Railroad shall, under authority of this act, acquire by transfer or merger the property and franchises of any of said subsidiary corporations, it shall have the powers and privileges and shall become subject to and be held to pay all of the debts and to perform all of the duties and obligations of the said subsidiary corporation so acquired; and the Boston and Maine Railroad may, subject to the provisions of the general law and with the approval of the department of public utilities, issue additional stock or bonds, or both stock and bonds, to provide means for paying for permanent additions to or improvements upon property of any of said subsidiary corporations made prior to said transfer and conveyance or merger, for which said Boston and Maine Railroad shall not have issued stock or bonds and shall not have been reimbursed in cash by said subsidiary corporation.

SECTION 3. The Boston and Maine Railroad is hereby authorized for the purpose of facilitating the transfer and conveyance or merger herein provided for, to purchase any outstanding stock, bonds or other securities not already owned by it, of any of said subsidiary corporations, or to

exchange its own stock for stock of any of said subsidiary corporations, share for share, where the par value is the same, and one share for two where the par value is respectively one hundred dollars and fifty dollars, and for such purchase or exchange or for settlement with any non-assenting stockholder, it may issue additional common stock or bonds, subject to the provisions of the general law and with the approval of the department of public utilities.

May issue additional common stock or bonds.

SECTION 4. In case of any transfer and conveyance or merger under the provisions of this act, every stockholder of the transferring corporation shall be deemed to assent to the terms of the transfer and conveyance or merger unless at the meeting called to consider such transfer and conveyance or merger such stockholder votes against such transfer and conveyance or merger and unless within thirty days after the date of the vote for such transfer and conveyance or merger he shall file with the clerk of the board of directors of such corporation a writing declaring his vote against and dissent from such terms and stating the number of shares held by him and the number or numbers of the certificate or certificates evidencing the same; provided, however, that as against any stockholder who is under legal incapacity to act for himself and having no legal guardian, such original dissenting vote shall not be required and said period of thirty days shall not begin to run until the removal of such incapacity by appointment of a legal guardian or otherwise. Within sixty days, but not thereafter, after the filing of his dissent from the terms of such transfer and conveyance or merger, such dissenting stockholder, or at its option, such acquiring or merging corporation, may file a petition in the supreme judicial court for the county of Suffolk, setting forth the material facts and asking that the value of his shares may be determined. Failure of such dissenting stockholder to file such petition within said period of sixty days shall be taken as conclusive evidence of his assent to such vote; provided; however, that any dissenting stockholder who, during said period of sixty days, is legally incapacitated from acting for himself and has no legal representative may file such petition within sixty days after the removal of such incapacity by the appointment of a legal representative or otherwise. Upon the filing of such petition and upon such notice to all parties concerned as the court may deem proper, the court shall pass an order requiring the certificate or certificates evidencing such shares, duly endorsed, to be deposited with the clerk of

Stockholders of transferring corporations shall be deemed to assent to terms of transfer, etc., unless, etc.

Proviso.

Dissenting stockholders may petition supreme judicial court for Suffolk county for determination of value of their shares.

Proviso.

the court and shall appoint a commissioner to ascertain and report the value of the shares. Report shall be made to the court as soon as is practicable and, after due notice to the parties in interest, shall be confirmed by the court unless some error of law be made to appear upon the face of the report, in which event it shall be recommitted to the commissioner with such order as the court may make, or unless either of the parties to said proceedings shall claim a trial by jury, in which latter event the court shall order the question of the value of the shares to be tried and determined as speedily as may be in the superior court in the same manner in which other cases are tried in that court.

Acquiring or merging corporation to pay money due to stockholders, etc.

The acquiring or merging corporation shall be liable for and shall pay all sums due and payable to all holders of shares in the proceedings aforesaid, including such interest, cost and expenses as the court may order and shall likewise furnish such security for the said payment as the court may order. Upon payment or tender or deposit with the clerk of the court of the value of such shares fixed as aforesaid, such shares and the certificate or certificates thereof, shall become the property of and be delivered to the acquiring or merging corporation, whose right and title to receive the same and to hold possession thereof may be enforced by the court by any appropriate process.

Boston and Maine Railroad may acquire leasehold interest in The St. Johnsbury & Lake Champlain Railroad Company.

SECTION 5. In place of acquiring by transfer or merger the property and franchises of The St. Johnsbury & Lake Champlain Railroad Company, the Boston and Maine Railroad may acquire by contract with said The St. Johnsbury & Lake Champlain Railroad Company a leasehold interest in the whole or any part of its road, subject to the provisions of the general law and with the approval of the department of public utilities.

Approved April 6, 1922.

Chap. 246 AN ACT AUTHORIZING THE TOWN OF WARE TO INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES.

Be it enacted, etc., as follows:

Town of Ware may borrow money for schoolhouse purposes.

SECTION 1. For the purpose of building a school building or additions to school buildings in the town of Ware and for the purchase of furnishings and original equipment for said buildings or additions, the town of Ware may borrow from time to time such sums as may be necessary, not exceeding in the aggregate seventy-five thousand dollars, and may issue notes therefor, which shall bear on their face the words,

Ware School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall except as herein provided, be subject to chapter forty-four of the General Laws.

Ware School
Loan, Act of
1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1922.

AN ACT AUTHORIZING THE CITY OF MEDFORD TO INCUR
INDEBTEDNESS FOR SCHOOL PURPOSES.

Chap.247

Be it enacted, etc., as follows:

SECTION 1. The city of Medford, for the purpose of acquiring land for a high school and of constructing and equipping the same, may incur indebtedness, in addition to the amount provided in chapter forty-five of the Special Acts of nineteen hundred and nineteen, to the further amount of two hundred thousand dollars outside the statutory limit. Bonds or notes may be issued therefor and shall bear on their face the words, Medford High School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of Medford
may incur in-
debtedness for
school pur-
poses.

Medford High
School Loan,
Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1922.

AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO
BORROW MONEY FOR HIGHWAY PURPOSES.

Chap.248

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and improving highways in the city of Newburyport, the said city may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Newburyport Highway Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable within five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

City of New-
buryport may
borrow money
for highway
purposes.

Newburyport
Highway Loan,
Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1922.

Chap.249 AN ACT AUTHORIZING THE TOWN OF SEEKONK TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of
Seekonk may
borrow money
for school
purposes.

Seekonk
School Loan,
Act of 1922.

SECTION 1. For the purpose of constructing a high school building and for the purchase of original equipment and furnishings for said building, the town of Seekonk may borrow such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Seekonk School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1922.

Chap.250 AN ACT PROVIDING THAT THE FINANCIAL BUDGETS OF CITIES SHALL INCLUDE PROVISION FOR THE SALARIES OF OFFICIALS.

Be it enacted, etc., as follows:

G. L. 44, new
section after
§ 33.

Financial
budgets of cities
shall include
provision for
salaries of
officials.

Chapter forty-four of the General Laws is hereby amended by inserting after section thirty-three the following new section:— *Section 33A.* The budget shall include sums sufficient to pay the salaries of officials fixed by law or by ordinance, but no new position shall be created or increase in rate made during the financial year subsequent to the submission of the annual budget, unless provision therefor is made by means of a supplemental budget.

Approved April 6, 1922.

Chap.251 AN ACT AUTHORIZING COUNTY COMMISSIONERS TO ISSUE PARTIAL DECREES ON CERTAIN PETITIONS RELATIVE TO HIGHWAYS.

Be it enacted, etc., as follows:

G. L. 82, § 5,
amended.

County com-
missioners may
issue partial
decrees on peti-
tions relative to
laying out, etc.,
highways.

SECTION 1. Section five of chapter eighty-two of the General Laws is hereby amended by adding at the end thereof the following:— The commissioners may adjudicate and decree in respect to a portion of a way described in a petition pending before them, leaving the petition open pending a further or final adjudication and decree in respect to a further

portion of said way or a final adjudication and decree as to the remainder of such way.

SECTION 2. Section eleven of said chapter eighty-two is hereby amended by adding at the end thereof the following:

— The commissioners may adjudicate and decree in respect to a portion of a way described in a petition pending before them, leaving the petition open pending a further or final adjudication and decree in respect to a further portion of said way or a final adjudication and decree as to the remainder of such way.

G. L. 82, § 11, amended.

County commissioners may issue partial decrees on petitions relative to relocating, etc., highways.

Approved April 6, 1922.

AN ACT RELATIVE TO THE OPERATION OF PORTABLE SAW-MILLS.

Chap. 252

Be it enacted, etc., as follows:

Chapter forty-eight of the General Laws is hereby amended by inserting after section twenty the following new section:

— *Section 20A.* No person shall engage in any lumbering operations which involve the cutting of more than ten thousand feet, other than the cutting of cordwood, unless he has filed with the forester a statement giving the location and approximate size of the lot of land from which wood is to be cut and the approximate date when such operations are to be commenced. Any person, before operating any portable sawmill, shall notify the forester of the place of such intended operation and shall clear away and dispose of all slash and brush within seventy-five feet thereof. Violation of any provision of this section shall be punished by a fine of not less than five nor more than one hundred dollars.

G. L. 48, new section after § 20.

Operation of portable saw-mills regulated, etc.

Penalty.

Approved April 6, 1922.

AN ACT PROVIDING PENALTIES FOR VIOLATION OF THE LAWS RELATIVE TO MUNICIPAL FINANCE.

Chap. 253

Be it enacted, etc., as follows:

Chapter forty-four of the General Laws is hereby amended by adding at the end thereof the following new section: — *Section 62.* Any city, town or district officer who knowingly violates, or authorizes or directs any official or employee to violate, any provision of this chapter shall be punished by a fine of not more than one hundred dollars; and the mayor, selectmen, prudential committee, or commissioners, shall, and five taxpayers may, report such violation to the district attorney who shall investigate and prosecute the same.

G. L. 44, new section after § 61.

Penalties for violation of laws relative to municipal finance.

Approved April 6, 1922.

Chap. 254 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE FATHER OF ROBERT L. SHEEHAN.

Be it enacted, etc., as follows:

City of Boston
may pay sum
of money to
father of
Robert L.
Sheehan.

SECTION 1. The city of Boston may pay a sum of money not exceeding four thousand dollars to Michael Sheehan, father of Robert L. Sheehan who was accidentally shot by a member of the state guard on September tenth, nineteen hundred and nineteen, during the riots in Boston, and died in consequence. Said sum shall be paid in such weekly or monthly instalments as the city council may determine and shall not be subject to assignment or attachment. Should any part of said sum remain unpaid at the decease of the said Sheehan, the same may be paid in the same manner and subject to the same conditions to his widow during her life.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 6, 1922.

Chap. 255 AN ACT AUTHORIZING THE CITY OF WORCESTER TO INCUR INDEBTEDNESS FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

City of
Worcester may
incur indebted-
ness for water
supply pur-
poses.

SECTION 1. For the purpose of increasing its water supply and improving and enlarging its water distribution facilities, the city of Worcester may borrow, from time to time, such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, in addition to amounts previously authorized, and may issue bonds or notes therefor, which shall bear on their face the words, Worcester Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Worcester Water
Loan, Act of
1922.

Payment of
loan.

SECTION 2. The said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual

expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 8, 1922.

AN ACT RELATIVE TO FEES FOR EXAMINATION AND AUDIT OF CO-OPERATIVE BANKS. Chap.256

Be it enacted, etc., as follows:

Section forty-seven of chapter one hundred and seventy of the General Laws is hereby amended by striking out, in the fourth line, the word "ten" and inserting in place thereof the word: — fifteen, — so as to read as follows: — *Section 47.* To defray in part the expense of the examination and audit provided for by the preceding section, every such corporation so examined and audited shall, upon notice from the commissioner, pay to him a fee of fifteen cents for each one thousand dollars of assets as shown by the statement of condition of the bank at the date of the examination and audit.

G. L. 170, § 47, amended.

Fees for examination and audit of co-operative banks.

Approved April 8, 1922.

AN ACT RELATIVE TO THE TIMES FOR HOLDING SESSIONS OF THE PROBATE COURT WITHIN AND FOR THE COUNTY OF DUKES COUNTY. Chap.257

Be it enacted, etc., as follows:

Section sixty-two of chapter two hundred and fifteen of the General Laws, as amended by chapter forty-one of the acts of the present year, is hereby further amended by striking out the paragraph contained in lines twenty-one to twenty-four, inclusive, and inserting in place thereof the following: — Dukes, at Edgartown, the third Tuesdays of January and July, and the first Tuesdays of March and December; at Vineyard Haven, the third Tuesday of April and the first Tuesday of September; at West Tisbury, the first Tuesday of June and the third Tuesday of October.

G. L. 215, § 62, etc., amended.

Times for holding sessions of probate court within and for county of Dukes County.

Approved April 8, 1922.

*Chap.*258 AN ACT PROVIDING FOR THE ELECTION OF TRUSTEES OF SAVINGS BANKS IN GROUPS.

Be it enacted, etc., as follows:

G. L. 168, § 14,
amended.

Election of
officers of
savings banks.

SECTION 1. Section fourteen of chapter one hundred and sixty-eight of the General Laws is hereby amended by inserting after the word "may" in the seventh line the following: — , except as otherwise provided, — so as to read as follows: — *Section 14.* The officers of such corporation, except the board of investment, treasurer, vice treasurer and assistant treasurer, shall be elected at its annual meeting, anything in its charter to the contrary notwithstanding. The board of investment, treasurer, vice treasurer and assistant treasurer shall be elected by the trustees and shall hold office during their pleasure. If any office becomes vacant during the year, the trustees may, except as otherwise provided, elect a person to fill it until the next annual meeting; and if a person elected does not, within thirty days thereafter, take the oath, his office shall thereupon become vacant. The clerk of the corporation shall, within ten days after the meeting, notify all persons elected to office; and within thirty days thereafter shall publish in a newspaper published in the county where the corporation is established a list of all persons who have taken the oath of office to which they were elected and a list of the members of the corporation. Said lists shall be included in the annual report of the corporation to the commissioner, and shall be kept on file in his office for inspection by the public. A clerk who neglects to give such notice or make such publication, or who makes a false publication, and a person who knowingly publishes or circulates, or knowingly causes to be published or circulated, a printed notice containing the name of a person as an officer of such corporation who has not taken the oath of office, shall be liable to a penalty of fifty dollars. The clerk shall transmit to the commissioner a copy of all by-laws adopted and all amendments thereof. Upon the election as trustee of any such bank of a person who has not been theretofore a trustee thereof, the clerk shall send forthwith to the commissioner the name and address of such person, and the commissioner shall thereupon transmit to such person a copy of the laws relating to savings banks.

Penalty.

Duties of the
clerk.

G. L. 168, new
section after
§ 14.

SECTION 2. Said chapter one hundred and sixty-eight is hereby further amended by inserting after section fourteen

the following new section:— *Section 14A*. The trustees provided for by the by-laws of any such corporation shall be divided into three groups, as nearly equal in number as possible, and at the first annual meeting of such corporation after its incorporation, one of such groups shall be elected for one year, one for two years and one for three years, and thereafter at each annual meeting of such corporation, successors of the retiring group shall be elected for three years. A vacancy may be filled by election by the trustees for the unexpired term.

Election of trustees of savings banks in groups.

SECTION 3. Every existing savings bank and institution for savings shall divide its trustees into groups in the manner provided by the preceding section, and at the first annual meeting of such corporation held after this act takes effect, shall elect such groups in the manner and for the terms provided by said section, and thereafter at each annual meeting of such corporation, successors of the retiring group shall be elected for three years and vacancies shall be filled as provided in section two.

Existing savings banks, etc., to divide their trustees into groups, etc.

Approved April 8, 1922.

AN ACT EXTENDING THE AUTHORITY OF THE DEPARTMENT OF PUBLIC UTILITIES TO SUMMON WITNESSES AND TAKE TESTIMONY.

Chap. 259

Be it enacted, etc., as follows:

SECTION 1. Chapter twenty-five of the General Laws is hereby amended by inserting after section five the following new section:— *Section 5A*. In all investigations and inquiries authorized by law to be made by the department and in all proceedings before it, any commissioner of the department may summon witnesses, administer oaths and take testimony. The fees of such witnesses for attendance and travel shall be the same as for witnesses before the superior court and shall be paid by the commonwealth upon the certificate of the department filed with the state auditor. The fees of such witnesses need not be paid or tendered to them prior to their attendance and testimony.

G. L. 25, new section after § 5.

Department of public utilities may summon witnesses, take testimony, etc.

SECTION 2. Section thirteen of chapter one hundred and ten A of the General Laws, which was inserted by chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-one, and section forty-two of chapter one hundred and fifty-nine of the General Laws are hereby repealed.

G. L. 110A, § 13, etc., and G. L. 159, § 42, repealed.

Approved April 8, 1922.

Chap. 260 AN ACT RELATIVE TO ABATEMENTS OF POLL TAXES FOR CERTAIN VETERANS.

Be it enacted, etc., as follows:

1920, 552, § 1,
amended.

Assessors to
certify to
commissioner
of corporations
and taxation
certain abate-
ments of poll
taxes.

Section one of chapter five hundred and fifty-two of the acts of nineteen hundred and twenty is hereby amended by inserting after the word "nineteen", the second time it occurs in the twentieth line, the words: — ; chapter six hundred and eight of the acts of nineteen hundred and twenty, — so as to read as follows: — *Section 1.* The assessors in cities and towns may, from time to time, certify under oath to the commissioner of corporations and taxation, in such form and detail as may be required by him, abatements of poll taxes of the years nineteen hundred and twenty, nineteen hundred and twenty-one, nineteen hundred and twenty-two and nineteen hundred and twenty-three made by them on the ground that the same were illegally assessed, or abatements made pursuant to any of the following named provisions of law: — The tenth clause of section five of Part I of chapter four hundred and ninety of the acts of nineteen hundred and nine; the fourteenth clause of the said section five as amended by chapter three hundred and thirty-three of the acts of nineteen hundred and ten, and by section three of chapter one hundred and forty-four of the General Acts of nineteen hundred and sixteen; chapter forty-nine of the General Acts of nineteen hundred and eighteen, as amended by chapter nine of the General Acts of nineteen hundred and nineteen; section nine of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen; chapter six hundred and eight of the acts of nineteen hundred and twenty: *provided*, that written application has been made to the assessors for abatement, stating the grounds on which the same is applied for, or that such other proof has been obtained by the assessors as the said commissioner approves; and *provided, further*, that said abatements are first entered, in accordance with the provisions of chapter five hundred and seventeen of the acts of nineteen hundred and nine, in a record of abatements kept by the assessors, showing the cause or reason for the abatement. The certificate shall state the number of poll taxes and the amount of the abatements made on the ground of illegal assessment, and also the number of poll taxes and the amount of abatements made under each of the statutory provisions above mentioned.

Provisos.

What certifi-
cate shall
state.

Approved April 8, 1922.

AN ACT EXCLUDING WAR PENSIONS IN COMPUTING THE INCOME OF CERTAIN INCAPACITATED VETERANS FOR PURPOSES OF RETIREMENT. Chap. 261

Be it enacted, etc., as follows:

Section fifty-six of chapter thirty-two of the General Laws is hereby amended by inserting after the word "allowance", in the fifteenth line, the words: — and of any sum received from the government of the United States as a pension for war service, — so as to read as follows: — *Section 56.* A person who has served in the army, navy or marine corps of the United States in the Spanish war or Philippine insurrection between April twenty-first, eighteen hundred and ninety-eight, and July fourth, nineteen hundred and two, or in the world war between April sixth, nineteen hundred and seventeen, and November eleventh, nineteen hundred and eighteen, and has been honorably discharged from such service or released from active duty therein, in sections fifty-six to sixty, inclusive, called a veteran, who is in the service of the commonwealth, or of any county, city, town or district thereof, shall be retired with the consent of the retiring authority, if incapacitated for active service, at one half the regular rate of compensation paid to him at the time of retirement, and payable from the same source; provided, that he has been in the said service at least ten years, has reached the age of fifty, and has a total income from all sources, exclusive of such retirement allowance and of any sum received from the government of the United States as a pension for war service, not exceeding five hundred dollars.

G. L. 32, § 56, amended.

Retirement of certain veterans in public service.

Proviso.

Exclusion of war pensions in computing income, etc.

Approved April 8, 1922.

AN ACT VESTING IN THE DIVISION OF WATERWAYS AND PUBLIC LANDS AUTHORITY TO LICENSE CERTAIN STRUCTURES IN A PART OF THE WESTFIELD RIVER. Chap. 262

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-one of the General Laws is hereby amended by striking out section twelve and inserting in place thereof the following: — *Section 12.* The division may license and prescribe the terms for the construction or extension of a dam, road, bridge, or other structure, or the filling of land, the driving of piles, or the making of excavations, in, over, or upon the waters below high water mark of the Connecticut river or of that part of the Westfield river,

G. L. 91, § 12, amended.

Division of waterways and public lands may license certain structures in Connecticut, Westfield and Merrimack rivers.

in the towns of West Springfield and Agawam, lying between the confluence of said river with the Connecticut river and the bridge across said river at Suffield street in the said town of Agawam, and in, over and upon the waters of the non-tidal part of the Merrimack river below high water mark; and the provisions of this chapter shall apply to all such licenses. Every erection made, and all work done on or within the banks of the Connecticut river, of said part of the Westfield river or of said part of the Merrimack river, below high water mark, not authorized by the general court or by the division, or made or done in a manner not sanctioned by the division, without a license as hereinbefore provided, shall be considered a public nuisance. The attorney general and the district attorneys within their respective districts shall, at the request of the division, institute proceedings to enjoin or abate any such nuisance. This section and any such license shall not impair the legal rights or remedies of any person.

Act, how
construed.

SECTION 2. Nothing in this act shall be construed to abridge any rights or privileges possessed by any municipality in or along that part of the Westfield river described in section one, with respect to the maintenance of any existing sewer outlet in said river; but the rebuilding or extension of any existing sewer outlet or the construction of any new sewer outlet in said part of said river shall be in accordance with plans approved by the division of waterways and public lands of the department of public works.

Approved April 8, 1922.

Chap. 263 AN ACT RELATIVE TO THE TIME IN WHICH A TRUST COMPANY SHALL ORGANIZE AND COMMENCE BUSINESS.

Be it enacted, etc., as follows:

G. L. 172, § 5,
amended.

SECTION 1. Section five of chapter one hundred and seventy-two of the General Laws is hereby amended by striking out, in the second line, the words "two years" and inserting in place thereof the words: — six months, — and by adding at the end thereof the following: — , and no trust company shall resume business under a charter which is outstanding and inactive on July first, nineteen hundred and twenty-two, except upon the written approval of the board of bank incorporation, — so as to read as follows: — *Section 5.* A trust company shall organize and commence business within six months from the date of its incorporation, otherwise its charter shall become void, and no trust company

Trust companies to organize and commence business within six months from date of

shall resume business under a charter which is outstanding and inactive on July first, nineteen hundred and twenty-two, except upon the written approval of the board of bank incorporation, etc.

SECTION 2. Section ten of said chapter one hundred and seventy-two is hereby amended by striking out, in the sixteenth line, the word "Thereupon", and inserting after the word "filed" in the seventeenth line the words:— within thirty days thereafter, — so that the last sentence of the paragraph contained in lines nine to twenty-one, inclusive, will read as follows:— The articles shall be filed within thirty days thereafter in the office of the state secretary, who, upon payment of a fee equal to one twentieth of one per cent of the capital stock of said corporation as set forth in said articles, shall cause the same, with the endorsement thereon, to be recorded, and shall thereupon issue a certificate of incorporation in the following form:.

G. L. 172, § 10, amended.

Trust companies to file articles of organization with state secretary, etc.

Approved April 8, 1922.

AN ACT TO PROHIBIT A TRUST COMPANY FROM MAKING LOANS ON SHARES OF ITS CAPITAL STOCK, DIRECTLY OR INDIRECTLY. Chap. 264

Be it enacted, etc., as follows:

Section thirty-nine of chapter one hundred and seventy-two of the General Laws is hereby amended by inserting after the word "shall" in the first line the words:— directly or indirectly, — by inserting after the word "purchase" in the fifth and sixth lines the words:— or acquisition, — and by adding at the end thereof the following:— The treasurer of any such corporation, or any other officer or employee thereof, who knowingly violates any provision of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both, — so as to read as follows:— *Section 39.* No such corporation shall directly or indirectly make a loan or discount on the security of the shares of its own capital stock, nor be the purchaser or holder of such shares, unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith; and stock so purchased or acquired shall, within six months after its purchase or acquisition, be sold or disposed of at public or private sale. The treasurer of any such corporation, or any other officer or employee thereof, who knowingly violates any provision of

G. L. 172, § 39, amended.

Trust company not to make loans on shares of its capital stock, etc.

Penalty.

this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Approved April 8, 1922.

Chap. 265 AN ACT RELATIVE TO THE BONDING OF OFFICERS AND EMPLOYEES OF SAVINGS BANKS AND TRUST COMPANIES.

Be it enacted, etc., as follows:

G. L. 168, § 24,
amended.

Bonding of
officers and
employees of
savings banks.

Penalty.

Blanket or
schedule bonds.

Proviso.

G. L. 172, § 13,
amended.

SECTION 1. Chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out section twenty-four and inserting in place thereof the following: — *Section 24.* Every treasurer, vice treasurer and assistant treasurer shall give bond to the trustees in such amount and with such surety or sureties and conditions as the commissioner may prescribe, and shall file with the commissioner an attested copy thereof, with a certificate of its custodian that the original is in his possession. Such bonded officer shall notify the commissioner of any change thereafter made therein. If he fails, within ten days after the date thereof, to file such copy, or to notify the commissioner of any such change, he shall be liable to a penalty of fifty dollars. The commissioner shall keep a record showing when such bonds expire, and the changes so notified, and, when in his judgment it is necessary for the security of the depositors, he shall require a new bond in such amount and with such surety or sureties and conditions as he may approve. Said bonded officers shall give new bonds at least once in five years. The trustees may require bonds of such other officers or employees and in such amounts as they deem necessary. The treasurer, vice treasurer and assistant treasurer, and any other officers and employees required to give bond, may be included in one or more blanket or schedule bonds; provided, that such bonds are approved by the commissioner as to the amounts and conditions thereof and as to the sureties thereon.

SECTION 2. Section thirteen of chapter one hundred and seventy-two of the General Laws is hereby amended by striking out, in the sixth and seventh lines, the words "the satisfaction of said board for the faithful performance of their duties" and inserting in place thereof the following: — said board in such amounts and with such surety or sureties and conditions as the commissioner may prescribe. The treasurer and actuary, and any other officers and employees required to give bond, may be included in one or more blanket or schedule bonds; provided, that such bonds are approved by

the commissioner as to the amounts and conditions thereof and as to the sureties thereon, — so as to read as follows: —

Section 13. The officers of such corporation, except the treasurer, actuary, and the members of the investment committee, if one is required by section sixty, shall be chosen at its annual meeting. The treasurer and actuary shall be appointed by the directors, shall hold their respective offices during the pleasure of the board of directors and shall give bond to said board in such amounts and with such surety or sureties and conditions as the commissioner may prescribe. The treasurer and actuary, and any other officers and employees required to give bond, may be included in one or more blanket or schedule bonds; provided, that such bonds are approved by the commissioner as to the amounts and conditions thereof and as to the sureties thereon. The board of directors may fill, until the next annual meeting, any vacancies in offices that may occur. *Approved April 8, 1922.*

Choice of officers of trust companies.

Officers and employees required to give bond may be included in blanket or schedule bonds. Proviso.

AN ACT RELATIVE TO RETIREMENT ALLOWANCES PAID TO FORMER CLEANERS AND SCRUB WOMEN IN THE STATE HOUSE.

Chap.266

Be it enacted, etc., as follows:

Every person now receiving a retirement allowance under the provisions of section seventy-four of chapter thirty-two of the General Laws, as amended by section eight of chapter four hundred and eighty-seven of the acts of nineteen hundred and twenty-one, or corresponding provisions of earlier laws, shall hereafter receive as a retirement allowance the sum of three hundred dollars per year, to be paid in equal weekly instalments. *Approved April 8, 1922.*

Retirement allowances paid to former cleaners and scrub women in state house.

AN ACT AUTHORIZING THE COUNTY OF SUFFOLK AND THE COMMONWEALTH TO PENSION MICHAEL F. MEAGHER.

Chap.267

Be it enacted, etc., as follows:

SECTION 1. Michael F. Meagher, for seventeen years an officer and messenger of the supreme judicial court, who has become incapacitated for further service, shall, at his request, be retired on a pension equal to one half his annual compensation at the time of retirement, to be paid monthly, thirteen fifteenths by the county of Suffolk and two fifteenths by the commonwealth, as his salary is now paid.

County of Suffolk and commonwealth may pension Michael F. Meagher.

To be submitted to Boston city council, etc. Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 8, 1922.

Chap. 268 AN ACT AUTHORIZING THE TRUSTEES OF THE MASSACHUSETTS AGRICULTURAL COLLEGE TO INSURE A BUILDING AND ITS CONTENTS.

Be it enacted, etc., as follows:

G. L. 75, new section after § 10.

Trustees of Massachusetts Agricultural College may insure memorial building, etc.

Chapter seventy-five of the General Laws is hereby amended by inserting after section ten the following new section: — *Section 10A.* The trustees may insure the memorial building and its contents in such amount as they deem sufficient.

Approved April 10, 1922.

Chap. 269 AN ACT RELATIVE TO THE MAKING OF FALSE STATEMENTS IN RELATION TO CANDIDATES FOR NOMINATION OR ELECTION TO PUBLIC OFFICE.

Be it enacted, etc., as follows:

G. L. 55, new section after § 34.

False statements in relation to candidates for public office forbidden.

SECTION 1. Chapter fifty-five of the General Laws is hereby amended by inserting after section thirty-four the following new section: — *Section 34A.* No person shall make or publish, or cause to be made or published, any false statement in relation to any candidate for nomination or election to public office, which is designed or tends to injure or defeat such candidate.

G. L. 55, § 36, amended.

Corrupt practice.

SECTION 2. Section thirty-six of said chapter fifty-five is hereby amended by inserting after the ninth line the following additional paragraph: — Violation of any provision of section thirty-four A.

G. L. 56, new section after § 64.

Penalty for making false statements in relation to candidates, etc.

SECTION 3. Chapter fifty-six of the General Laws is hereby amended by inserting after section sixty-four the following section: — *Section 64A.* Whoever knowingly violates section thirty-four A of chapter fifty-five shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months.

Approved April 10, 1922.

AN ACT AUTHORIZING THE TOWN OF NATICK TO BORROW *Chap.270*
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of remodeling the old high school building in the town of Natick and for the purchase of equipment and furnishings therefor, the town of Natick may borrow such sums as may be necessary, not exceeding in the aggregate thirty thousand dollars, and may issue notes or bonds therefor, which shall bear on their face the words, Natick School Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and shall be payable in not more than ten years from its date and shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Natick may borrow money for school purposes.

Natick School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1922.

AN ACT ESTABLISHING THE SALARIES OF THE PRESENT *Chap.271*
CLERK AND ASSISTANT CLERK OF THE SENATE.

Whereas, The deferred operation of this act would cause substantial inconvenience inasmuch as the compensation provided for would be delayed beyond a reasonable time, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. The salary of William H. Sanger as clerk of the senate shall be forty-five hundred dollars, and the salary of Irving N. Hayden as assistant clerk of the senate shall be twenty-five hundred dollars.

Salaries of present clerk and assistant clerk of senate.

SECTION 2. The salaries provided for in this act shall be allowed from items five and six, respectively, of the general appropriation act of the current year, and shall date from March first in said year in each case.

Appropriation, etc.

Approved April 11, 1922.

AN ACT RELATIVE TO VOLUNTARY ASSOCIATIONS. *Chap.272*

Be it enacted, etc., as follows:

Chapter one hundred and eighty-two of the General Laws is hereby amended by striking out section two and inserting

G. L. 182, § 2, amended.

Copies of
declarations of
trust, etc., of
certain volun-
tary associa-
tions to be
filed, etc.

Fee.

Penalty.

in place thereof the following: — *Section 2.* The trustees of an association shall file a copy of the written instrument or declaration of trust creating it with the commissioner and with the clerk of every town where such association has a usual place of business. The fee for filing said copy with the commissioner shall be fifty dollars. Such trustees shall also, within thirty days after the adoption of any amendment thereof, file a copy of said amendment with said commissioner and said clerk. The trustees of every association, whose written instrument or declaration of trust creating it is not filed as required in this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than three months.

Approved April 11, 1922.

Chap. 273 AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO GRANT DEGREES OF BACHELOR OF EDUCATION AND BACHELOR OF SCIENCE IN EDUCATION TO GRADUATES OF THE BOSTON NORMAL SCHOOL.

Be it enacted, etc., as follows:

Boston school
committee may
grant certain
degrees to
graduates of
Boston normal
school.

The school committee of the city of Boston may grant the degree of Bachelor of Education or of Bachelor of Science in Education to graduates of the Boston normal school who have satisfactorily completed a four years' course of instruction in said normal school as prescribed by the board of superintendents.

Approved April 11, 1922.

Chap. 274 AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO GRANT THE DEGREE OF BACHELOR OF SCIENCE IN EDUCATION TO GRADUATES OF STATE NORMAL SCHOOLS.

Be it enacted, etc., as follows:

G. L. 73, § 7,
etc., amended.

Section seven of chapter seventy-three of the General Laws, added to said chapter by chapter ninety-two of the acts of nineteen hundred and twenty-one, is hereby amended by inserting after the word "Education" in the second line the words: — or of Bachelor of Science in Education, — so as to read as follows: — *Section 7.* The department may grant the degree of Bachelor of Education or of Bachelor of Science in Education to any person completing a four-year course in a Massachusetts state normal school.

Approved April 11, 1922.

Department of
education may
grant certain
degrees to
graduates of
state normal
schools.

AN ACT AMENDING THE CHARTER OF THE CITY OF MARLBOROUGH. *Chap. 275*

Be it enacted, etc., as follows:

SECTION 1. Except as otherwise provided herein, the city of Marlborough shall conduct its city government under the form provided in sections fifty-six to sixty-three, inclusive, of chapter forty-three of the General Laws, known as Plan B, and said sections fifty-six to sixty-three, inclusive, and sections one to forty-five, inclusive, of said chapter, shall, except as otherwise provided herein, apply to the said government to the same extent as if said plan were accepted by said city in the manner provided in said chapter.

City of Marlborough to have "Plan B" form of government, etc.

SECTION 2. Beginning with the first Tuesday in December in the year nineteen hundred and twenty-three, municipal elections in the city of Marlborough for the choice of mayor, members of the city council and other elective city officers shall be held biennially on the first Tuesday in December in every odd numbered year.

Biennial elections.

SECTION 3. At the biennial municipal election in nineteen hundred and twenty-three and at each biennial municipal election thereafter, the mayor, members of the city council and other elective city officers, except members of the school committee, shall be elected for terms of two years from the first Monday of January following, and until their successors shall be elected and qualified. At the biennial municipal election in nineteen hundred and twenty-three, the six members of the school committee shall be elected, three to serve for terms of two years and three for terms of four years, and at each biennial municipal election thereafter members of the school committee shall be elected for terms of four years.

Mayor, city council, etc., election, terms, etc.

SECTION 4. On the third Tuesday preceding every regular and special municipal election at which any officer mentioned in this act is to be elected, there shall be held a preliminary election for the purpose of nominating candidates for such offices as, under the provisions of this act, are to be filled at such election. Voters qualified to vote at a regular election shall be qualified to vote at a preliminary election. No special election for mayor or any other officer shall be held until after the expiration of forty days from the calling of the preliminary election. At every preliminary election the polls shall open at twelve o'clock noon and close not earlier than eight P.M.

School committee, election, terms, etc.

Preliminary elections for nominations, date, etc.

What names to
be printed on
official ballots.

Proviso.

SECTION 5. Any person who is qualified to vote for a candidate for any office mentioned in this act, and who is a candidate for nomination for that office, may have his name as such candidate printed on the official ballot to be used at a preliminary election; provided, that, at least ten days prior to the preliminary election, he shall file with the city clerk a statement in writing of his candidacy, and with it the petition of at least fifty voters of the city, qualified to vote for a candidate for the said office. Said statement and petition shall be in substantially the following form:

STATEMENT OF CANDIDATE.

Form of state-
ment of can-
didate.

I, (), on oath declare that I reside at (number if any) on (name of street) in the city of Marlborough; that I am a voter therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for nomination for the office of (state the office) for (state the term) to be voted for at the preliminary election for nominations to be held on Tuesday, the day of , nineteen hundred and , and I request that my name be printed as such candidate on the official ballots to be used at said preliminary election.

(Signed)

Commonwealth of Massachusetts. Middlesex, ss.

Subscribed and sworn to this day of ,
nineteen hundred and , before me,

(Signed)

Justice of the Peace
or (Notary Public).

PETITION ACCOMPANYING STATEMENT OF CANDIDATE.

Form of peti-
tion accom-
panying state-
ment of can-
didate.

Whereas (name of candidate) is a candidate for nomination for the office of (state the office) for (state the term), we the undersigned, voters of the city of Marlborough, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballots to be used at the preliminary election to be held on the Tuesday of , nineteen hundred and . We further state that we believe him to be of good moral character and qualified to perform the duties of the office.

No acceptance by the candidate for nomination named in the said petition shall be necessary for its validity or for its filing, and the petition need not be sworn to. The petition may be on one or more papers.

Acceptance and oath not necessary.

SECTION 6. On the first day, not being Sunday or a legal holiday, following the expiration of the time for filing the above-described statements and petitions, the city clerk shall post in a conspicuous place in the city hall the names and residences of the candidates for nomination who have duly qualified as such as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, and shall cause the ballots which shall contain said names, in their order as drawn by the clerk, and no others, with a designation of residence, and of the office and term of service, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. In drawings for position on the ballot the candidates shall have an opportunity to be present in person or by one representative each. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on said ballots such directions as will aid the voter, as, for example, "vote for one", "vote for two", and the like, and the ballots shall be headed as follows: —

Names of candidates, when to be posted.

Printing of ballots.

Drawings for position on ballots.

Blank spaces to be left on ballots, etc.

OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the offices of () in the city of Marlborough at a preliminary election to be held on the day of , in the year nineteen hundred and .

Official preliminary ballot, heading.

(The heading shall be varied in accordance with the office for which nominations are to be made.)

SECTION 7. No ballot used at any preliminary, special or regular election shall have printed thereon any party or other political designation or mark, and there shall not be appended to the name of any candidate any such party or other political designation or mark, or anything showing how he was nominated, or indicating his views or opinions.

Party or political designations, etc., prohibited.

SECTION 8. The election officers shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the several

Counting of ballots and return of votes, etc.

voting places for each candidate, and forthwith make return thereof upon blanks to be furnished as in regular city elections to the city clerk who shall canvass said returns and shall forthwith determine the result thereof, insert the same in one or more newspapers published in the city, and post the same in a conspicuous place in the city hall.

Nominations,
how deter-
mined.

SECTION 9. The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall, except as otherwise provided by section ten, be the sole candidates for that office whose names may be printed on the official ballot to be used at the regular or special election at which such office is to be filled, and no acceptance of a nomination at a preliminary election shall be necessary to its validity.

Candidates'
names to be
printed on
official ballots.

If two or more persons are to be elected to the same office at such regular or special election the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office shall, except as otherwise provided by section ten, be the sole candidates for that office whose names may be printed on the official ballot.

Tie vote.

If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the election, all candidates participating in said tie vote shall have their names printed upon the official ballot, although in consequence there be printed thereon candidates to a number exceeding twice the number to be elected.

When insuffi-
cient number
of statements
have been filed,
candidates
filing state-
ments to be
deemed
to have been
nominated,
etc.

SECTION 10. If at the expiration of the time for filing statements of candidates to be voted for at any preliminary election not more than twice as many such statements have been filed with the city clerk for an office, as are to be elected to such office, the candidates whose statements have thus been filed shall be deemed to have been nominated to said office, and their names shall be voted on at the succeeding regular or special election, as the case may be, and the city clerk shall not print said names upon the ballot to be used at said preliminary election, and no other nomination to said office shall be made. If, in consequence, it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of the city,

no preliminary election shall be held in any such ward or wards.

SECTION 11. The salary of each member of the city council shall not exceed two hundred dollars a year. Nothing in this act shall be deemed to affect the salary of the mayor, as at present established by section nine of chapter three hundred and twenty of the acts of eighteen hundred and ninety, as amended by chapter one hundred and eighty-seven of the acts of nineteen hundred and twenty.

Salaries of city council and mayor.

SECTION 12. Beginning with the year nineteen hundred and twenty-four, the chief engineer of the fire department and the first and second assistant engineers shall be appointed by the mayor, subject to confirmation by the city council, for terms of three, two and one years, respectively, from January first in the year of their appointment, and thereafter such officers shall be so appointed for terms of three years from January first in the year of their appointment, and until the appointment and qualification of their successors.

Fire department engineers, appointment, terms, etc.

SECTION 13. This act shall be submitted to the voters of the city of Marlborough at the next state election in the form of the following question to be placed upon the official ballot: "Shall an act passed by the General Court in the year nineteen hundred and twenty-two, entitled 'An Act amending the charter of the city of Marlborough', be accepted?" If a majority of the voters voting thereon vote in the affirmative the provisions of this act, relative to preliminary elections and elections of the officers provided for by Plan B of chapter forty-three of the General Laws, shall take effect from and after September first, nineteen hundred and twenty-three, and the remaining provisions thereof, upon the qualification of the officers elected at the municipal election in nineteen hundred and twenty-three. *Approved April 11, 1922.*

To be submitted to voters, etc.

AN ACT PROVIDING FOR MUNICIPAL PRIMARIES IN THE CITY OF WORCESTER.

Chap. 276

Be it enacted, etc., as follows:

SECTION 1. Candidates to be voted for at city elections in the city of Worcester shall, after the acceptance of this act, be nominated in municipal primaries held in accordance with the provisions of sections twenty-three to forty, and fifty-six to sixty-four, both inclusive, of chapter fifty-three of the General Laws.

Municipal primaries in city of Worcester.

To be submitted to voters, etc.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said city voting thereon at the municipal election in said city in the current year.

Approved April 12, 1922.

Chap.277 AN ACT AUTHORIZING THE APPOINTMENT OF TEMPORARY ASSISTANT DISTRICT ATTORNEYS FOR THE SUFFOLK DISTRICT.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose to relieve the congested docket of the district attorney for the Suffolk district, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Appointment of temporary assistant district attorneys for Suffolk district.

The district attorney for the Suffolk district may appoint four assistant district attorneys to serve until the first Wednesday of January, nineteen hundred and twenty-three, and may remove them at pleasure. They shall be paid monthly by the commonwealth from item numbered sixty-eight of the general appropriation act of the current year, two at the rate of five thousand dollars a year each and two at the rate of four thousand dollars a year each.

Approved April 12, 1922.

Chap.278 AN ACT AUTHORIZING THE TOWN OF NORWELL TO INCUR INDEBTEDNESS FOR THE PURPOSE OF CONSTRUCTING AND EQUIPPING A SCHOOL BUILDING.

Be it enacted, etc., as follows:

Town of Norwell may borrow money for school purposes.

SECTION 1. For the purpose of constructing and equipping a school building, the town of Norwell may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Norwell Schoolhouse Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Norwell Schoolhouse Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1922.

AN ACT AUTHORIZING THE TOWN OF DARTMOUTH TO INCUR *Chap.279*
INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of school buildings and for purchasing the original equipment and furnishings of said buildings, the town of Dartmouth may borrow from time to time such sums as may be necessary, not exceeding in the aggregate one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Dartmouth School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of
Dartmouth
may borrow
money for
school pur-
poses.

Dartmouth
School Loan,
Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1922.

AN ACT AUTHORIZING THE TOWN OF TEMPLETON TO INCUR *Chap.280*
INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and constructing a high school building and of purchasing original equipment and furnishings for said building, the town of Templeton may borrow from time to time such sums as may be necessary, not exceeding in the aggregate fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Templeton School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of
Templeton
may borrow
money for
school purposes.

Templeton
School Loan,
Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1922.

AN ACT RELATIVE TO STATE APPROPRIATIONS FOR THE IM- *Chap.281*
PROVEMENT AND REPAIR OF PUBLIC WAYS IN SMALL
TOWNS.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an

Emergency
preamble.

emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 81, § 26,
amended.

Repair and im-
provement of
public ways in
small towns.

Proviso.

Section twenty-six of chapter eighty-one of the General Laws is hereby amended by striking out, in the fifth line, the word "fifty" and inserting in place thereof the word:— seventy, — by striking out, in the sixth line, the word "fifty" and inserting in place thereof the word:— seventy-five, — and by inserting after the word "dollars" in the twenty-sixth line the following new paragraphs: — 9. Fifty thousand dollars and less than sixty thousand dollars, one hundred and fifty dollars. 10. Sixty thousand dollars and less than seventy thousand dollars, one hundred and seventy-five dollars, — so as to read as follows: — *Section 26.* There may be expended for the repair and improvement of public ways, other than state highways, in towns the valuation of which is less than three million dollars and in which the amount of such valuation, divided by the number of miles of such public ways, hereinafter referred to as the road mileage valuation, is less than seventy thousand dollars, such sums, not exceeding seventy-five dollars per mile, as the general court may appropriate therefor; provided, that such towns shall contribute or make available for use in connection therewith the following amounts for each mile of said public ways within their respective limits, according to the following schedule based on their road mileage valuation:

1. Less than five thousand dollars, twelve dollars and fifty cents.
2. Five thousand dollars and less than seven thousand five hundred dollars, fifteen dollars.
3. Seven thousand five hundred dollars and less than ten thousand dollars, twenty-five dollars.
4. Ten thousand dollars and less than fifteen thousand dollars, forty dollars.
5. Fifteen thousand dollars and less than twenty thousand dollars, fifty dollars.
6. Twenty thousand dollars and less than thirty thousand dollars, seventy-five dollars.
7. Thirty thousand dollars and less than forty thousand dollars, one hundred dollars.
8. Forty thousand dollars and less than fifty thousand dollars, one hundred and twenty-five dollars.

9. Fifty thousand dollars and less than sixty thousand dollars, one hundred and fifty dollars.

10. Sixty thousand dollars and less than seventy thousand dollars, one hundred and seventy-five dollars.

The amounts appropriated as aforesaid and contributed by the towns shall be expended under the direction of the division on such ways as the division and the selectmen of the towns may agree upon. *Approved April 13, 1922.*

Expenditure
of amounts
appropriated.

AN ACT PROVIDING FOR THE NOMINATION AT PRELIMINARY ELECTIONS OF CANDIDATES FOR ELECTIVE MUNICIPAL OFFICE IN CITIES GOVERNED UNDER A STANDARD FORM OF CITY CHARTER.

Chap. 282

Be it enacted, etc., as follows:

SECTION 1. Chapter forty-three of the General Laws is hereby amended by inserting after section forty-four the following new sections: — *Section 44A.* In every city, governed on September first, nineteen hundred and twenty-two, by any plan provided by this chapter, which accepts sections forty-four A to forty-four G, inclusive, in the manner provided by section forty-four H, and in every city, except Boston, which, after said date adopts any such plan in the manner provided in this chapter, the provisions of sections forty-four A to forty-four G, inclusive, shall apply. On the third Tuesday preceding every regular and special election at which any office mentioned in this chapter is to be filled, there shall be held, except as otherwise provided in section forty-four G, a preliminary election for the purpose of nominating candidates therefor, and section sixteen shall not apply. The first regular election, if occurring in the year in which sections forty-four A to forty-four G, inclusive, are accepted, shall be held on the third Tuesday of December. At every regular, preliminary and special election, the ballots used shall be governed by the provisions of section forty-nine and the polls shall be open during such hours, in accordance with general law, as the city council may prescribe. No vote of the city council changing such hours shall take effect unless accepted by a majority of the voters of the city voting thereon at a biennial state election, and the state secretary, upon the receipt at least thirty days before such an election of a copy of the vote of the city council proposing such a change, certified by the city clerk, shall cause the question of its acceptance to be placed upon the ballot to be used in

G. L. 43, new
sections after
§ 44.

Nomination at
preliminary
elections of
candidates for
elective mu-
nicipal office
in cities
governed
under a
standard form
of city charter.

Polling hours.

Names of persons not to appear on ballot at regular or special election unless nominated at preliminary election, etc.

What names to be printed on official ballot.

Proviso.

said city at such election. *Section 44B.* Except as otherwise provided in section forty-four G, there shall not be printed on the official ballot to be used at any regular or special election the name of any person as a candidate for any office unless such person has been nominated as such at a preliminary election for nomination, held as provided in sections forty-four A to forty-four G, inclusive. There shall not be printed on the official ballot for use at such preliminary election the name of any candidate for nomination at such election, unless he shall have filed, within the time limited by section forty-four C, the statement and petition therein described. *Section 44C.* Any person who is qualified to vote for a candidate for any elective municipal office and who is a candidate for nomination thereto, shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election; provided, that at least ten days prior to such preliminary election he shall file with the city clerk a statement in writing of his candidacy, and with it the petition of at least fifty voters, qualified to vote for a candidate for the said office. Said statement and petition shall be in substantially the following form: —

STATEMENT OF CANDIDATE.

Form of statement of candidate.

I (), on oath declare that I reside at (number if any) on (name of street) in the city of ; that I am a voter therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for the office of (name of office) for (state the term) to be voted for at the preliminary election to be held on Tuesday, the day of , nineteen hundred and , and I request that my name be printed as such candidate on the official ballot for use at said preliminary election.

(Signed)

Commonwealth of Massachusetts,

ss.

Subscribed and sworn to on this day of , nineteen hundred and before me,

(Signed)

Justice of the Peace,
or (Notary Public).

PETITION ACCOMPANYING STATEMENT OF CANDIDATE.

Whereas (name of candidate) is a candidate for nomination for the office of (state the office) for (state the term), we, the undersigned, voters of the city of _____, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballot to be used at the preliminary election to be held on the Tuesday of _____, nineteen hundred and _____.

Form of petition accompanying statement of candidate.

We further state that we believe him to be of good moral character and qualified to perform the duties of the office.

No acceptance by the candidate for nomination named in the said petition shall be necessary to its validity or its filing, and the petition, which may be on one or more papers, need not be sworn to. *Section 44D.* On the first day, other than Sunday or a legal holiday, following the expiration of the time for filing the above described statement and petition, the city clerk shall post in a conspicuous place in the city hall the names and residences of the candidates for nomination who have duly qualified as candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, and shall cause the ballots which shall contain said names, in their order as drawn by the clerk, and no others, with a designation of residence, and of the office and term of service, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. In drawings for position on the ballot the candidates shall have an opportunity to be present in person or by one representative each. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on such ballots such directions as will aid the voter, as, for example: "vote for one", "vote for two", and the like, and the ballots shall be headed as follows: —

Acceptance and oath not necessary.

Names of candidates, when to be posted.

Printing of ballots.

Drawings for position on ballot.

Blank spaces to be left on ballots.

OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the offices of (_____) in the city of _____ at a preliminary election to be held on the _____ day of _____ in the year nineteen hundred and _____.

Official preliminary ballot, heading.

Counting of
ballots and
return of votes,
etc.

(The heading shall be varied in accordance with the offices for which nominations are to be made.) *Section 44E.* The election officers shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the several voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in regular elections, to the city clerk who shall canvass said returns and shall forthwith determine the result thereof, insert the same in one or more newspapers published in the city, and post the same in a conspicuous place in the city hall. *Section 44F.* The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall, except as provided by section forty-four G, be the sole candidates for that office whose names may be printed on the official ballot to be used at the regular or special election at which such office is to be filled, and no acceptance of a nomination at a preliminary election shall be necessary to its validity.

Candidates'
names to be
printed on
official ballots.

If two or more persons are to be elected to the same office at such regular or special election the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office shall, except as provided by section forty-four G, be the sole candidates for that office whose names may be printed on the official ballot.

Tie vote.

If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the election, all candidates participating in said tie vote shall have their names printed upon the official ballot, although in consequence there be printed thereon candidates to a number exceeding twice the number to be elected. *Section 44G.* If at the expiration of the time for filing statements of candidates to be voted for at any preliminary election not more than twice as many such statements have been filed with the city clerk for an office as are to be elected to such office, the candidates whose statements have thus been filed shall be deemed to have been nominated to said office, and their names shall be voted on for such office at the succeeding regular or special election, as the case may be, and the city clerk shall not print said names upon the ballot to be used at said preliminary election and no other nomination to said office shall be made. If in con-

When insuf-
ficient number
of statements
have been filed,
candidates
filing state-
ments to be
deemed to have
been nomi-
nated.

sequence it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of the city, no preliminary election shall be held in any such ward or wards. *Section 44H.* If, in a city governed on September first, nineteen hundred and twenty-two, by one of the plans provided by this chapter, there is filed with the city clerk, not later than one month before a regular state election, a petition conforming so far as possible to the provisions of sections eight and nine, requesting that such city accept the provisions of sections forty-four A to forty-four G, inclusive, and bearing the signatures of registered voters thereof, duly certified by the registrars of voters, to a number equal to at least ten per cent of the registered voters thereof at the regular state election next preceding such filing, the following question shall be placed upon the official ballot to be used in such city at the next regular state election: — “Shall sections forty-four A to forty-four G, inclusive, relative to the nomination by preliminary elections of candidates for elective municipal offices in cities governed under a standard form of city charter, be accepted by the city of ?” If a majority of the voters voting thereon in such city vote in the affirmative, said sections shall take effect therein.

Submission to voters of cities governed under a standard form of city charter, procedure, etc.

SECTION 2. Section forty-five of said chapter forty-three is hereby amended by inserting after the word “forty-four” in the first line the letter: — G, — so as to read as follows: — *Section 45.* Sections one to forty-four G, inclusive, shall, upon the adoption by any city of any of the plans hereinafter set forth, apply to the plan so adopted, except as is otherwise provided in such plan. *Approved April 13, 1922.*

G. L. 43, § 45, amended.

Certain provisions of law to apply to plan of government adopted by cities, etc.

AN ACT AUTHORIZING THE CITY OF HAVERHILL TO PAY A Chap. 283
SUM OF MONEY TO EILEEN BURKE.

Be it enacted, etc., as follows:

SECTION 1. The city of Haverhill may pay to Eileen Burke the sum of seven hundred dollars, as compensation for injuries sustained by her while acting as a nurse for said city.

City of Haverhill may pay sum of money to Eileen Burke.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved April 13, 1922.

Chap.284 AN ACT AUTHORIZING THE CITY OF MELROSE TO PENSION
JAMES W. MURRAY.

Be it enacted, etc., as follows:

City of Melrose
may pension
James W.
Murray.

SECTION 1. The city of Melrose may pay to James W. Murray, city collector of said city for twenty-five years, who is now to be retired on account of physical incapacity, an annual pension, not exceeding the sum of six hundred dollars.

To be sub-
mitted to
board of alder-
men, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of aldermen of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 13, 1922.

Chap.285 AN ACT RELIEVING DRUGGISTS AND OTHERS FROM ADVERTISING APPLICATIONS FOR LICENSES FOR THE SALE OF LIQUORS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 138, § 15,
amended.

Publication of
notice of ap-
plication for
licenses for sale
of liquors.

Section fifteen of chapter one hundred and thirty-eight of the General Laws is hereby amended by inserting after the word "licenses" in the first line the words: — , except licenses of the third and fifth classes, — so as to read as follows: —
Section 15. Notice of all applications for licenses, except licenses of the third and fifth classes, shall, at the expense of the applicant, to be paid in advance, be published in the following manner: in Boston by the licensing board in two or more daily newspapers published therein; and in the Charlestown, East Boston, South Boston, Dorchester, Roxbury and Brighton districts of said city, respectively, in at least one weekly newspaper published in the district in which the premises for which the license is asked are situated, if any is there published; in other cities and towns by the licensing authorities thereof, in such newspapers, printed therein and published at least once a week, as they may designate; or if no such newspaper is printed therein, then by posting such notice in a conspicuous place on the premises described in

the application for the license and in two or more places in which public notices are usually posted in the neighborhood. Such notice shall set forth the name of the applicant in full, the class of the license applied for, a particular description of the premises on which the license is to be exercised, designating the building or part of a building to be used, and, if practicable, the street and number, and shall be published at least ten days before the licensing authorities act thereon. If a license is granted without such previous publication, any citizen of the city or town within which such license is issued may make complaint to the district court having jurisdiction therein; and if, after due hearing, it appears that such notice was not given, the court shall revoke the license and give notice thereof to the authorities which issued it.

Complaint and
revocation of
license.

Approved April 14, 1922.

AN ACT RELATIVE TO THE USE BY THE CITY OF BOSTON OF THE PROCEEDS OF TAXES AND OTHER REVENUE RECEIVABLE PRIOR TO FEBRUARY FIRST IN THE CURRENT YEAR.

Chap. 286

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may apply the proceeds of taxes and other revenue of the year nineteen hundred and twenty-one and years prior thereto, received on or after February first, nineteen hundred and twenty-two, to the payment of salaries, wages and bills due from the said city, county of Suffolk or school committee of said city to the extent that such salaries, wages and bills exceed the appropriations available therefor at the close of the fiscal year ending January thirty-first, nineteen hundred and twenty-two, and may also apply said taxes and revenue to replacing in the city treasury such sums as have been expended from the excess of actual over estimated receipts for the said fiscal year and from the unexpended balances of departmental appropriations for said fiscal year. The said city may also make a temporary loan, for such sum or sums as may be necessary, in anticipation of the receipt of said taxes and other revenue and may apply the proceeds in like manner.

Use by city of
Boston of pro-
ceeds of taxes
and other
revenue re-
ceivable prior
to February
first in current
year.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1922.

Chap.287 AN ACT AUTHORIZING THE TOWN OF ROCKPORT TO MAKE
AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Town of Rock-
port may make
an additional
water loan.

SECTION 1. For the purpose of increasing its water supply, constructing a filtration system for the purification of water, extending its water mains and improving its water distribution facilities, the town of Rockport may from time to time borrow such sums as may be necessary, not exceeding in the aggregate one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Rockport Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Rockport Water
Loan, Act of
1922.

Payment of
loan, etc.

SECTION 2. The town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by this act, shall, without further vote, be assessed by the assessors of the town annually thereafter in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 14, 1922.

Chap.288 AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO INCUR
INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

City of New
Bedford may
borrow money
for sewerage
purposes.

SECTION 1. For the purposes of sewer construction, the city of New Bedford may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, New Bedford Sewer Loan, Act of 1922. Each authorized

New Bedford
Sewer Loan,
Act of 1922.

issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1922.

AN ACT AUTHORIZING THE TOWN OF OXFORD TO INCUR *Chap.289*
INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land and erecting a school building in that part of the town of Oxford known as Oxford Plains and for the purpose of acquiring land and erecting a school building in that portion of said town known as North Oxford and for the purchase of furnishings and original equipment for said buildings, the town of Oxford may borrow from time to time such sums as may be necessary, not exceeding in the aggregate seventy-five thousand dollars, and may issue notes therefor, which shall bear on their face the words, Oxford School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Oxford may borrow money for school purposes.

Oxford School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1922.

AN ACT RELATIVE TO INFORMATION AT THE SOURCE IN *Chap.290*
CONNECTION WITH THE TAXATION OF INCOMES.

Be it enacted, etc., as follows:

Section thirty-three of chapter sixty-two of the General Laws is hereby amended by striking out, in the sixth line, the words "eighteen hundred" and inserting in place thereof the words:—two thousand,—by striking out all of the first paragraph after the word "year" in the seventh line and inserting in place thereof the words:—, and may give the amount paid to each,—and also by adding at the end thereof the words:—In any individual case, upon request of the commissioner, the exact wages, salary or other compensation shall be stated,—so that said paragraph will read as follows:—*Section 33.* Every employer, being an inhabitant of the commonwealth or having a place of business therein,

G. L. 62, § 33, amended.

Taxation of incomes, information at source.

shall file annually with the commissioner a return in such form as he shall from time to time prescribe, giving the names and addresses of all regular employees residing in the commonwealth to whom said employer has paid wages, salary or other compensation in excess of the sum of two thousand dollars during the preceding calendar year, and may give the amount paid to each. In any individual case, upon request of the commissioner, the exact wages, salary or other compensation shall be stated. *Approved April 14, 1922.*

Chap. 291 AN ACT RELATIVE TO PROCEEDINGS AGAINST TRUST COMPANIES IN CASE OF INSUFFICIENT RESERVES

Be it enacted, etc., as follows:

G. L. 172, § 76,
amended.

Section seventy-six of chapter one hundred and seventy-two of the General Laws is hereby amended by striking out the second sentence and inserting in place thereof the following: — The commissioner may notify such corporation to make good such reserve, and if it fails so to do for thirty days thereafter, he may proceed to take possession of its property and business and liquidate its affairs in the manner provided in sections twenty-two to thirty-five, inclusive, of chapter one hundred and sixty-seven, — so as to read as follows: — *Section 76.* If the reserve of any trust company is at any time less than the amount which it is required to keep on hand, such corporation shall not make any new loans or investments until the required proportion between the aggregate amount of its deposits and reserve shall be restored. The commissioner may notify such corporation to make good such reserve, and if it fails so to do for thirty days thereafter, he may proceed to take possession of its property and business and liquidate its affairs in the manner provided in sections twenty-two to thirty-five, inclusive, of chapter one hundred and sixty-seven. If the reserve of any such corporation which has been authorized to act as reserve agent is at any time less than the amount which it is required to keep on hand, the commissioner may notify such corporation to make good such reserve, and if such corporation fails for ten days thereafter so to make good such reserve, the commissioner may revoke the authority of such corporation to act as a reserve agent. *Approved April 14, 1922.*

Proceedings
against trust
companies in
case of insuf-
ficient reserves.

AN ACT RELATIVE TO THE CHARTERS OF CONSOLIDATED TRUST COMPANIES. *Chap. 292*

Be it enacted, etc., as follows:

Section forty-four of chapter one hundred and seventy-two of the General Laws is hereby amended by inserting after the word "except" in the second line the words:— with the written approval of the commissioner and, — and by adding at the end thereof the following:— The charter of a trust company the business of which shall, on or after July first, nineteen hundred and twenty-two, be consolidated or merged with, or absorbed by, another bank or trust company, shall be void except for the purpose of discharging existing obligations and liabilities, — so as to read as follows:— *Section 44.* No trust company shall be merged in or consolidated with another trust company except with the written approval of the commissioner and under the provisions of sections forty-two and forty-six of chapter one hundred and fifty-six, which are hereby made applicable to the sale or exchange of all the property and assets, including the good will and corporate franchise, of a trust company. The charter of a trust company the business of which shall, on or after July first, nineteen hundred and twenty-two, be consolidated or merged with, or absorbed by, another bank or trust company, shall be void except for the purpose of discharging existing obligations and liabilities.

G. L. 172, § 44, amended.

Consolidation of trust companies regulated.

Charter to be void, except, etc.

Approved April 14, 1922.

AN ACT REGULATING THE GRANTING OF CERTIFICATES PERMITTING TRUST COMPANIES TO BEGIN BUSINESS. *Chap. 293*

Be it enacted, etc., as follows:

Chapter one hundred and seventy-two of the General Laws is hereby amended by striking out section eleven and inserting in place thereof the following:— *Section 11.* When the whole capital stock has been issued, a new list of the stockholders, with the name, residence and postoffice address of each, and the number of shares held by each, shall be filed with the board of bank incorporation, which list shall be verified by the two principal officers of the corporation. Upon receipt of such list said board shall cause an examination to be made of the method of payment of the capital stock, of the personnel of the corporation, including the officers and directors thereof, and if, after such examination, it appears

G. L. 172, § 11, amended.

Certificates permitting trust companies to begin business.

that the whole capital stock has been paid in in cash, and that all requirements of law have been complied with, said board shall, if satisfied that the public convenience and advantage will be promoted thereby, issue a certificate authorizing such corporation to begin the transaction of business. It shall be unlawful for any such corporation to begin the transaction of business until such a certificate has been granted.

Approved April 14, 1922.

Chap. 294 AN ACT REQUIRING A WEEKLY STATEMENT OF THE DAILY RESERVE OF TRUST COMPANIES.

Be it enacted, etc., as follows:

G. L. 172, § 73,
amended.

Section seventy-three of chapter one hundred and seventy-two of the General Laws is hereby amended by adding at the end thereof the following: — The treasurer of every trust company, or other officer or employee thereof charged with the duties and functions usually performed by the treasurer, shall report in writing to the commissioner once in each week a statement of its reserve for each business day of the preceding week. Any such officer or employee who neglects or fails to make such report as above provided shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both, — so as to read as follows: — *Section 73.* Every such corporation shall at all times have on hand as a reserve an amount equal to at least fifteen per cent of the aggregate amount of its deposits, exclusive of savings deposits and all time deposits represented by certificates or written agreements; but whenever such time deposits may be withdrawn within thirty days, they shall be subject to the reserve requirements of this chapter; and every trust company doing business in Boston shall at all times have on hand as a reserve an amount equal to at least twenty per cent of the aggregate amount of its deposits, computed in the same manner, but this provision shall not affect such corporations doing business in Boston and located at a distance of not less than three miles from the state house. The treasurer of every trust company, or other officer or employee thereof charged with the duties and functions usually performed by the treasurer, shall report in writing to the commissioner once in each week a statement of its reserve for each business day of the preceding week. Any such officer or employee who neglects or fails to make

Reserve of
trust com-
panies.

Weekly state-
ment of daily
reserve.

Penalty.

such report as above provided shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Approved April 14, 1922.

AN ACT CHANGING THE NAME OF THE OVERSEERS OF THE POOR IN THE CITY OF BROCKTON TO OVERSEERS OF THE PUBLIC WELFARE. Chap. 295

Be it enacted, etc., as follows:

SECTION 1. The overseers of the poor in the city of Brockton shall hereafter be known as the Overseers of the Public Welfare; but said change of name shall in no respect affect the rights, powers or duties of said overseers of the poor.

City of Brockton, change of name of overseers of the poor.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved April 14, 1922.

AN ACT AUTHORIZING THE SALE AND RELEASE OF CERTAIN LANDS AND EASEMENTS OF THE COMMONWEALTH IN THE TOWN OF FRAMINGHAM. Chap. 296

Be it enacted, etc., as follows:

The adjutant general, for such price as may be approved by the governor and council, may sell and convey in the name of the commonwealth a certain parcel of land situated in Framingham, and heretofore acquired by the commonwealth under chapter three hundred and ninety-three of the acts of eighteen hundred and ninety-three, by an instrument of taking, dated August seventeenth, eighteen hundred and ninety-three, and recorded in the registry of deeds for Middlesex county, southern district, book two thousand two hundred and eighteen, page forty-one, and being the lot of land marked "A" on the plan referred to in said instrument of taking and recorded in said registry, book of plans eighty-two, plan eleven. The adjutant general may also release and quitclaim, with the approval of the governor and council, all the rights of way and easements acquired by the commonwealth under said chapter three hundred and ninety-three and by said instrument of taking in lots marked "B", "C", "D" and "E", respectively, on said plan, to the respective present owners of said lots.

Sale and release of certain lands and easements of the commonwealth in the town of Framingham.

Approved April 14, 1922.

Chap.297 AN ACT PROVIDING FOR THE SUBSTITUTION OF NEW PLANS
BY BOARDS OF SURVEY IN TOWNS.

Be it enacted, etc., as follows:

G. L. 41, § 76,
amended.

Substitution of
new plans by
boards of sur-
vey in towns.

Proviso.

Section seventy-six of chapter forty-one of the General Laws is hereby amended by striking out, in the first line, the words "In cities", so as to read as follows: — *Section 76.* The board of survey may from time to time make new plans in place of plans filed in accordance with the two preceding sections, or make changes on plans so filed; provided, that any action involving new plans or changes in plans already duly attested and filed shall be made only after the notice and hearing, and in all other respects in the manner specified in section seventy-four; and the last plan so made, or the plan with the changes last made thereon and duly attested and filed, shall be the plan governing the future development of the territory affected. *Approved April 14, 1922.*

Chap.298 AN ACT RELATIVE TO THE POWERS OF THE ART COMMISSION
FOR THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 6, § 20,
amended.

Art commission
for the com-
monwealth,
powers and
duties.

Chapter six of the General Laws is hereby amended by striking out section twenty and inserting in place thereof the following: — *Section 20.* There shall be submitted to the art commission for its approval in an advisory capacity any plan relative to the creation, acquisition, construction, erection or remodeling by the commonwealth of any work of art, accompanied by designs, descriptions, specifications, drawings or models sufficient to enable the commission to determine the artistic character of such work of art. The commission shall file with the governor, within thirty days after such submission, its opinion of such proposed work of art together with such suggestions and recommendations as it may deem proper. The term "work of art", as used in this section, shall include any painting, portrait, mural decoration, stained glass, statue, bas-relief, ornament, fountain or any other article or structure of a permanent character intended for decoration or commemoration.

Commission
to act in ad-
visory capacity.

Upon request of the governor, the commission shall act in an advisory capacity relative to the artistic character of any building constructed, erected or remodeled by the common-

wealth, or upon land owned by the commonwealth, and when, upon request of the governor, there shall be submitted to said commission any plan relating to such construction, erection or remodeling of any such building, accompanied by designs, descriptions, specifications, drawings or models sufficient to enable the commission to determine the artistic character of such building, the commission shall file with the governor, within thirty days after such submission, its opinion of such proposed building together with such suggestions and recommendations as it may deem proper. The term "building", as used in this section, shall include structures intended for human occupation and use, and also bridges, arches, gates, walls or other permanent structures of any character.

Approved April 14, 1922.

AN ACT AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL COURT OFFICER FOR THE MUNICIPAL COURT OF THE ROXBURY DISTRICT OF THE CITY OF BOSTON. *Chap. 299*

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eighteen of the General Laws, as amended in section sixty-two by section one of chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section sixty-two and inserting in place thereof the following: — *Section 62.* In the municipal court of the city of Boston the court officers appointed shall not exceed eight for criminal business and four for civil business and one of such court officers for criminal business shall be designated by the chief justice as chief court officer of said court for criminal business; in the municipal court of the Roxbury district three court officers may be appointed; in the municipal court of the South Boston district and of the Charlestown district, the East Boston district court and the district court of East Norfolk two court officers for each court may be appointed; and in each of the other district courts in the commonwealth one court officer may be appointed.

G. L. 218, § 62, etc., amended.

Number of court officers in district courts.

Additional officer for municipal court of Roxbury district.

SECTION 2. This act shall take effect upon its acceptance by the mayor of the city of Boston; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to mayor of Boston. Proviso.

Approved April 14, 1922.

Chap. 300 AN ACT RELATIVE TO THE ACCEPTANCE BY THE STATE TREASURER OF CERTAIN BONDS AS SECURITY FOR THE PAYMENT OF CERTAIN TAXES BY FIDUCIARIES AND OTHERS.

Be it enacted, etc., as follows:

G. L. 65, § 15,
amended.

Legacy and
succession
taxes on future
interests, de-
posit of bonds,
etc., as security
for payment,
etc.

Chapter sixty-five of the General Laws is hereby amended by striking out section fifteen and inserting in place thereof the following: — *Section 15.* In case of a devise, bequest or grant of real or personal property made or intended to take effect in possession or enjoyment after the death of the grantor, to take effect in possession or come into actual enjoyment after the expiration of one or more life estates or a term of years, whether conditioned upon the happening of a contingency, dependent upon the exercise of a discretion, subject to a power of appointment, or otherwise, the taxes upon which have not yet become due, the executor, administrator, trustee or grantee may (a) deposit with the state treasurer bonds or other negotiable obligations of the commonwealth or of the United States of America of such aggregate face amount as the commissioner may from time to time deem necessary to adequately secure payment of such taxes, or (b) deposit with the state treasurer a sum of money sufficient in the opinion of the commissioner to pay all taxes which may become due upon such devise, bequest or grant, or (c) any executor, administrator, trustee or grantee, or any person interested in such devise, bequest or grant may give bond to a judge of the probate court having jurisdiction of the estate of the decedent, in such amount and with such sureties as said court may approve, conditioned that the obligor shall notify the commissioner when said taxes become due and shall then pay the same to the commonwealth. In case of a deposit of money hereunder, the state treasurer shall pay to such executor, administrator, trustee or grantee having the right to the use or income of such real or personal property, interest at the rate of two and one half per cent per annum upon such deposit and, when said taxes shall become due, shall repay to the persons entitled thereto the difference between such part of the tax certified as remains unpaid and the amount deposited. In case of a deposit of bonds or other negotiable obligations with the state treasurer hereunder, he shall pay to such executor, administrator, trustee or grantee as aforesaid or persons entitled thereto the interest accruing thereon and, if such taxes shall be paid in full when due, shall

return such bonds or obligations to the persons entitled thereto; but if such taxes shall not be paid when due, the state treasurer may sell all or any part of such bonds or obligations to satisfy such taxes and shall return to the persons entitled thereto all the proceeds of such sale, and all such bonds or obligations, remaining in his hands after satisfying such taxes.

Approved April 15, 1922.

AN ACT ESTABLISHING THE SALARIES OF ASSISTANT REG- Chap.301
ISTERS OF DEEDS.

Be it enacted, etc., as follows:

Chapter thirty-six of the General Laws is hereby amended by striking out section thirty-six and inserting in place thereof the following: — *Section 36.* Except as otherwise provided, the salaries of assistant registers shall be sixty per cent of the salary of the register of their respective districts and shall be paid by their respective counties.

G. L. 36, § 36,
amended.

Salaries of as-
sistant registers
of deeds.

Approved April 15, 1922.

AN ACT TO BRING THE EXCISE TAX LAW ON BUSINESS Chap.302
CORPORATIONS INTO CONFORMITY WITH FEDERAL LAW.

Whereas, The deferred operation of this act would cause substantial inconvenience, inasmuch as it applies to taxes levied in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section thirty of chapter sixty-three of the General Laws is hereby amended by inserting after the word "eighteen" in the fifty-sixth line the words: — or the federal revenue act of nineteen hundred and twenty-one, whichever of said acts may be applicable, — so that paragraph numbered five will read as follows: — 5. "Net income", except as otherwise provided in sections thirty-four and thirty-nine, the net income for the taxable year as required to be returned by the corporation to the federal government under the federal revenue act of nineteen hundred and eighteen or the federal revenue act of nineteen hundred and twenty-one, whichever of said acts may be applicable, and, in the case of a domestic business corporation, such interest and dividends, not so required to be returned as net income, as would be taxable if

G. L. 63, § 30,
par. 5,
amended.

Taxation of
business cor-
porations.
"Net income",
term defined.

received by an inhabitant of this commonwealth; less, both in the case of a domestic business corporation and of a foreign corporation, interest, so required to be returned, which is received upon bonds, notes and certificates of indebtedness of the United States.

Approved April 17, 1922.

Chap. 303 AN ACT RELATIVE TO THE USE OF NUMBER PLATES ON MOTOR VEHICLES BETWEEN TWELVE O'CLOCK NOON ON DECEMBER THIRTY-FIRST AND TWELVE O'CLOCK NOON ON JANUARY FIRST FOLLOWING.

Be it enacted, etc., as follows:

G. L. 90, § 2, amended.

SECTION 1. Section two of chapter ninety of the General Laws is hereby amended by inserting after the word "shall" in the sixty-seventh line the following: — , except as provided by section nine, — so that the seventh paragraph will read as follows: — The registrar shall furnish at his office, without charge, to every person whose vehicle is registered under this chapter, two number plates of suitable design, each number plate to have displayed upon it the register number assigned to that vehicle. The number plates so furnished shall, except as provided by section nine, be valid only for the year for which they are issued.

Number plates for motor vehicles, furnishing, etc.

Valid only for year issued, except, etc.

G. L. 90, § 5, amended.

SECTION 2. Section five of said chapter ninety is hereby amended by inserting after the word "shall" in the twenty-eighth line the following: — , except as provided by section nine, — so as to read as follows: — *Section 5.* Every manufacturer of or dealer in motor vehicles or trailers, instead of registering each such vehicle owned or controlled by him, and every manufacturer of or dealer in motor vehicle bodies and tops and every person engaged in the business of repairing motor vehicles, with respect to motor vehicles under his control but not owned by him, may make application for a general distinguishing number or mark, and the registrar, if satisfied of the facts stated in the application, may issue to the applicant a certificate of registration containing the name and business address of the applicant and the general distinguishing number or mark assigned to him, and made in such form and containing such further information as the registrar may determine; and all motor vehicles or trailers owned or controlled by such manufacturer of or dealer in motor vehicles or trailers shall be regarded as registered under such general distinguishing number or mark until sold or let for hire or loaned for a period of more than five suc-

Distinguishing number or mark to be furnished to manufacturers of or dealers in motor vehicles, trailers, motor vehicle bodies and tops, and to persons engaged in business of repairing motor vehicles, etc.

cessive days; and all motor vehicles under the control of such manufacturer of or dealer in motor vehicle bodies or tops or person engaged in the business of repairing motor vehicles but not owned by him shall be regarded as temporarily registered under the distinguishing number or mark assigned to him, provided that number plates furnished as hereinafter provided are properly displayed thereon. The registrar shall furnish at his office without charge to every manufacturer of or dealer in automobiles or trailers whose vehicles are registered in accordance with this section five pairs, and to every dealer in motor cycles whose vehicles are registered in accordance with this section five pairs of number plates of suitable design having displayed upon them the register number which is assigned to the motor vehicles of such manufacturer or dealer, with a different letter or letters or mark on each pair of number plates, which shall, except as provided by section nine, be valid only for the year for which they are issued, and to each manufacturer of or dealer in motor vehicle bodies or tops or person engaged in the business of repairing motor vehicles one pair of number plates of suitable design having displayed upon them the distinguishing number or mark assigned to him. Every registration under this section shall expire at midnight on December thirty-first in each year.

Proviso.

Furnishing of number plates.

Number plates valid only for year issued, except, etc.

SECTION 3. Section nine of said chapter ninety is hereby amended by inserting after the word "seven" in the sixth line the following: — , except that any motor vehicle or trailer may be operated or remain upon any way between the hours of twelve o'clock noon on December thirty-first of one year and twelve o'clock noon on January first of the following year if it carries its register number of either year displayed as provided in section six, — so as to read as follows: — *Section 9.* No person shall operate any motor vehicle or draw any trailer, and the owner or custodian of such a vehicle shall not permit the same to be operated upon or to remain upon any way, unless such vehicle is registered in accordance with this chapter and carries its register number displayed as provided in section six, and, in the case of a motor vehicle, is equipped as provided in section seven, except that any motor vehicle or trailer may be operated or remain upon any way between the hours of twelve o'clock noon on December thirty-first of one year and twelve o'clock noon on January first of the following year if it carries its register number of either year displayed as provided in section six; but violation

G. L. 90, § 9, amended.

Unregistered and improperly equipped motor vehicles not to be operated, etc. Use of number plates between 12 o'clock noon on December thirty-first and 12 o'clock noon on January first following.

Violation of section not to constitute a defence, etc.

of this section shall not constitute a defence to actions of tort for injuries suffered by a person, or for the death of a person, or for injury to property, unless it is shown that the person injured in his person or property or killed was the owner or operator of the motor vehicle the operation of which was in violation of this section, or unless it is shown that the person so injured or killed, or the owner of the property so injured, knew or had reasonable cause to know that this section was being violated.

Approved April 17, 1922.

Chap. 304 AN ACT RELATIVE TO ASSISTANT DISTRICT ATTORNEYS FOR THE WESTERN DISTRICT.

Be it enacted, etc., as follows:

G. L. 12, § 14, amended.

SECTION 1. Section fourteen of chapter twelve of the General Laws is hereby amended by striking out, in the seventeenth and eighteenth lines, the words “, or an assistant and a second assistant district attorney” and inserting in place thereof the words:— and a second assistant district attorney, — so that the last paragraph will read as follows:—

Assistant district attorneys for western district.

For the western district, an assistant district attorney and a second assistant district attorney, of whom one shall reside in Berkshire county and the other in Hampden county.

G. L. 12, § 16, amended.

SECTION 2. Section sixteen of said chapter twelve is hereby amended by striking out all after the word “assistant”, in the eighteenth line, and inserting in place thereof the words:— eighteen hundred dollars; second assistant, thirteen hundred and fifty dollars, — so that the last paragraph will read as follows:—

Salaries of assistant district attorneys for western district.

For the western district, assistant, eighteen hundred dollars; second assistant, thirteen hundred and fifty dollars.

G. L. 12, § 17, amended.

SECTION 3. Section seventeen of said chapter twelve is hereby amended by striking out, in the tenth and eleventh lines, the words “and the western district”, so as to read as follows:— *Section 17.* The salaries of district attorneys for the several districts, except Suffolk, shall, in January, nineteen hundred and twenty-two, and every five years thereafter, be adjusted by the state treasurer, upon the basis of the annual average disposition of criminal cases in their respective districts for the five years preceding the first day of October immediately preceding, as determined by the returns of the clerks of courts made to the commissioner of correction under section eight of chapter one hundred and twenty-four, in accordance with the following schedule; and the salaries

Adjustment of salaries of district attorneys and assistant and second assistant district attorneys.

of the assistant and second assistant district attorneys in the several districts, except Suffolk, shall be sixty and forty-five per cent, respectively, of the salaries of their respective district attorneys, as so adjusted; all of said salaries shall be allowed from January first in the year of adjustment and be paid by the commonwealth.

ANNUAL AVERAGE DISPOSITION OF CRIMINAL CASES IN THE DISTRICT DETERMINED AS AFORESAID FOR FIVE YEARS PRECEDING THE OCTOBER FIRST IMMEDIATELY PRECEDING THE DATE OF ADJUSTMENT.	Salary of District Attorney.
3,000 or more	\$7,000
750 to 3,000	5,000
500 to 750	4,000
250 to 500	3,000
Less than 250	2,000

SECTION 4. This act shall not take effect until an appropriation sufficient to cover the same has been made, and then as of June first, nineteen hundred and twenty-two.

Time of taking effect.

Approved April 17, 1922.

AN ACT RELATIVE TO THE LEGAL RESIDENCE OF MARRIED WOMEN FOR THE PURPOSES OF VOTING AND REGISTRATION THEREFOR.

Chap. 305

Be it enacted, etc., as follows:

Section one of chapter fifty-one of the General Laws is hereby amended by adding at the end thereof the following: — A married woman dwelling or having her home separate and apart from her husband shall for the purpose of voting and registration therefor be deemed to reside at the place where she dwells or has her home, — so as to read as follows: — *Section 1.* Every citizen twenty-one years of age or older, not being a pauper or person under guardianship, who can read the constitution of the commonwealth in English and write his name, and who has resided in the commonwealth one year and in the city or town where he claims a right to vote six months last preceding a state, city or town election, and who has complied with the requirements of this chapter, may have his name entered on the list of voters in such city or town, and may vote therein in any such election or in any meeting held for the transaction of town affairs. No other

G. L. 51, § 1,
amended.

Qualifications
of voters.

person shall have his name entered upon the list of voters or have the right to vote; except that no person who is prevented from reading or writing as aforesaid by a physical disability, or who had the right to vote on May first, eighteen hundred and fifty-seven, shall, if otherwise qualified, be deprived of the right to vote by reason of not being able so to read or write; and no person who, having served in the army or navy of the United States in time of war, has been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefrom on account of receiving or having received aid from any city or town, or because he is exempted by section five of chapter fifty-nine from the assessment of a poll tax; and no person otherwise qualified to vote for national or state officers shall, by reason of a change of residence within the commonwealth, be disqualified from voting for such officers in the city or town from which he has removed his residence until the expiration of six months from such removal. A married woman dwelling or having her home separate and apart from her husband shall for the purpose of voting and registration therefor be deemed to reside at the place where she dwells or has her home.

Residence of married woman dwelling or having her home apart from husband.

Approved April 17, 1922.

Chap. 306 AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE TRUSTEES OF THE MASSACHUSETTS HOSPITAL SCHOOL.

Be it enacted, etc., as follows:

G. L. 121, § 29, amended.

Trustees of Massachusetts hospital school, powers and duties.

Chapter one hundred and twenty-one of the General Laws is hereby amended by striking out section twenty-nine and inserting in place thereof the following: — *Section 29.* The trustees shall be a corporation for the purpose of taking and holding, by them and their successors, in the name of the commonwealth, and in accordance with the terms thereof, any grant or devise of land or any gift or bequest of money or other personal property made for the use or benefit of the school, its inmates, former inmates or graduates or any association thereof, or for the use or benefit of state minor wards assigned to the care of the trustees under sections thirty-four to thirty-seven, inclusive, and for the purpose of preserving and investing the proceeds thereof in notes or bonds secured by good and sufficient mortgages or other securities, with all the powers necessary to effect said purposes. For said purposes the trustees may employ such agencies as they may from time to time determine to be wise and proper, including

any trust company or other corporation authorized by law to administer trusts, and may from funds received as aforesaid or the income thereof pay such expenses as may be necessary for the wise administration of such gifts or trusts, or may, with the approval of the governor and council, delegate any powers conferred by this section upon any such trust company or corporation. In the use, management and administration of such gifts or trusts, the trustees or their agents shall in their discretion so act as most effectively to aid the beneficiaries in accordance with the terms of the gift or trust, and when so acting their judgments and determinations in extending or denying aid or benefit to any individual shall be conclusive and final. No trustee shall be answerable for the use of any money or property received by any beneficiary or for the default or neglect of any co-trustee, or of any agent employed hereunder, or of any corporation to which power is delegated or transferred as herein authorized.

Approved April 17, 1922.

AN ACT AUTHORIZING THE TOWN OF CHARLTON TO INCUR
INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES. Chap.307

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing land and constructing thereon a high school building and for furnishing and equipping the same, the town of Charlton may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Charlton School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Charlton may borrow money for schoolhouse purposes.

Charlton School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved April 17, 1922.

AN ACT AUTHORIZING THE TOWN OF ANDOVER TO MAKE
AN ADDITIONAL WATER LOAN. Chap.308

Be it enacted, etc., as follows:

SECTION 1. For the purpose of relaying and extending its water mains and improving its water distribution facilities, the town of Andover may from time to time borrow such

Town of Andover may make an additional water loan.

Andover Water
Loan, Act of
1922.

sums as may be necessary, not exceeding, in the aggregate, forty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Andover Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Payment of
loan.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed by the assessors of said town annually thereafter, in the same manner as other taxes, until the debt incurred hereunder is extinguished.

SECTION 3. This act shall take effect upon its passage.
Approved April 17, 1922.

Chap. 309 AN ACT PROVIDING FOR AN EIGHTH ASSISTANT CLERK OF THE MUNICIPAL COURT OF THE CITY OF BOSTON FOR CIVIL BUSINESS.

Be it enacted, etc., as follows:

G. L. 218, § 53,
amended.

SECTION 1. Section fifty-three of chapter two hundred and eighteen of the General Laws is hereby amended by striking out, in the second line, the word "seven" and inserting in place thereof the word: — eight, — so as to read as follows: — *Section 53.* There shall be a clerk and seven assistant clerks of said court for criminal business, and a clerk and eight assistant clerks of said court for civil business. The assistant clerks shall be appointed by the clerks, respectively, subject to the approval of the justices or a majority of them, and the clerks shall be responsible for the doings of their assistants, and may remove them at pleasure. The salaries of said assistant clerks shall be payable by the county.

Municipal
court of the
city of Boston,
clerk and as-
sistant clerks.

G. L. 218, § 75,
etc., amended.

SECTION 2. Section seventy-five of said chapter two hundred and eighteen, as amended by section two of chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting at

the end of the first paragraph the following: — The salary of the eighth assistant clerk of said court for civil business shall be twenty-four hundred dollars, — so as to read as follows: — *Section 75.* The salary of the chief justice of the municipal court of the city of Boston shall be eighty-five hundred dollars, and the salary of each of the associate justices shall be eight thousand dollars; provided, that any chief justice or associate justice appointed before June fourth, nineteen hundred and twenty, who has not accepted the increase in salary provided by chapter six hundred and fourteen of the acts of nineteen hundred and twenty shall receive annually two thousand dollars less than the salaries above provided for. The salaries of the clerks and assistant clerks of said court, for civil and for criminal business, shall be as follows: clerks, five thousand dollars each; first assistant clerks, thirty-five hundred dollars each; second assistant clerks, three thousand dollars each; third and fourth assistant clerks, twenty-nine hundred dollars each; fifth, sixth and seventh assistant clerks, twenty-four hundred dollars each.

Municipal court of the city of Boston, salaries.

Proviso.

The salary of the eighth assistant clerk of said court for civil business shall be twenty-four hundred dollars.

The salary of the messenger of said court shall be twenty-six hundred dollars.

The salary of the chief court officer of the municipal court of the city of Boston for criminal business shall be twenty-eight hundred dollars and the salary of each of the other court officers in attendance at the civil and criminal sessions of said court, twenty-four hundred and eighty-four dollars.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.

Proviso.

Approved April 17, 1922.

AN ACT SUBJECTING INTERDEPARTMENT TRANSFERS OF ASSETS BY TRUST COMPANIES TO THE SUPERVISION OF THE COMMISSIONER OF BANKS.

Chap. 310

Be it enacted, etc., as follows:

Chapter one hundred and seventy-two of the General Laws is hereby amended by inserting after section thirty the following new section: — *Section 30A.* No such corporation shall make any transfer of assets from one department thereof to

G. L. 172, new section after § 30.

Interdepartment transfers of assets by

trust companies, supervision by commissioner of banks, etc.

another without forthwith making report of such transfer to the commissioner. The report shall be made on forms provided by the commissioner, and shall set forth such information in relation to the said assets, the purposes of the transfer and such other data in relation thereto as the commissioner may require. In case the commissioner, not later than thirty days after the receipt of said report, notifies such corporation of his disapproval of such transfer, it shall forthwith retransfer the said assets to the department from which they were transferred. In no case shall such corporation make any such transfer of securities or other property held by it for more than the market or fair value at the time of such transfer; provided, that in case the commissioner orders a retransfer of securities or other property under authority of this section, such retransfer shall be made as of the value at which they were transferred. Failure of the commissioner to disapprove a transfer of assets as provided in this section shall for no purpose be deemed an approval thereof. Whoever violates or permits to be violated any provision of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Proviso.

Penalty.

Approved April 17, 1922.

Chap. 311 AN ACT PROVIDING FOR PRECINCT VOTING, REPRESENTATIVE TOWN MEETINGS, TOWN MEETING MEMBERS, A REFERENDUM AND AN ANNUAL MODERATOR IN THE TOWN OF WEST SPRINGFIELD.

Be it enacted, etc., as follows:

Precinct voting, representative town meetings, etc., in town of West Springfield.

SECTION 1. Upon the acceptance of this act by the town of West Springfield as hereinafter provided, the selectmen of the town and the board of assessors, acting jointly and hereinafter referred to as the districting board, shall forthwith divide the territory of the town into not less than five voting precincts each of which shall be plainly designated and shall contain not less than seven hundred registered voters. All precincts shall contain approximately an equal number of registered voters and shall be so established as to consist of compact and contiguous territory to be bounded, as far as possible, by the center line of known streets and ways or by other well defined limits. Their boundaries shall be reviewed and, if need be, wholly or partly revised by the districting board in October, once in five years, or in October of any year when directed by a vote of the preceding annual town meeting.

Within ten days after any establishment or revision of the precincts, the districting board shall file a report of their doings with the town clerk, the registrars of voters and the assessors, with a map or maps or description of the precincts and the names and residences of the registered voters therein as of the first day of April next preceeding, provided that upon receipt of written notice of the removal after April first of a registered voter of the town to another precinct thereof the districting board shall so report his name and his residence in the precinct to which he shall have removed; and shall also cause to be posted in the town hall and in at least one public place in each precinct a map or maps or description of the precincts as established or revised from time to time, with the names and residences of the registered voters therein as above. The division into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the districting board with the town clerk. Whenever such precincts are established or revised, the town clerk shall forthwith give written notice thereof to the state secretary, stating the number, designation and official description of such precincts. Meetings of the voters of the several precincts, as established or revised as hereinbefore provided, for elections, for primaries, and for voting upon any question to be submitted to all the voters of the town shall be held on the same day and at the same hour, and at such place or places within the town as the selectmen shall in the warrant for such meeting direct. The provisions of the General Laws relating to precinct voting at all elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as hereinbefore provided.

Districting board to report doings, etc.

Division into voting precincts, date of taking effect, etc.

Town clerk to give written notice to state secretary, etc.

SECTION 2. The registered voters of every precinct established under this act shall at the next ensuing annual town election held after the acceptance of this act and conformably to the laws relative to elections not inconsistent with this act, elect by ballot thirty such voters in each such precinct, other than the officers designated in section three as town meeting members ex officio, who shall be known as elected town meeting members. The first ten, in order of votes received, of members elected at such annual election shall serve until the third succeeding annual election, the second ten until the second succeeding annual election, and the third ten until the first succeeding annual election; and thereafter, except as hereinafter provided, at each annual town election

Town meeting members, election, terms, etc.

the registered voters of each precinct in the town shall in like manner elect ten of their number to be town meeting members of the town until the third succeeding annual election and shall at each annual town election fill for the unexpired term or terms any vacancies then existing in the number of town meeting members in their respective precincts. The term of office of every town meeting member from any revised precinct shall cease at the next annual election after such revision, and at such annual town election, in the manner and for the term provided for in the first election of town meeting members to be held hereunder, there shall be an entirely new election of town meeting members in each and every precinct so revised, as well as in any new precinct or precincts established. The town clerk shall, after every election of town meeting members, forthwith notify each member by mail of his election.

Notice of election to members.

Town meetings limited to certain elected members and members at large, etc.

SECTION 3. Any representative town meeting held under the provisions of this act, except as otherwise provided, shall be limited to the elected town meeting members together with the following, designated as town meeting members ex officio, namely: any member of the general court of the commonwealth of Massachusetts who is a registered voter of the town, the town moderator, the town clerk, the selectmen, the town treasurer, the town counsel if a registered voter of the town, the town collector of taxes, the town auditor or auditors, the chairman of the school committee, the chairman of the trustees of the public library, the chairman of the board of health, the chairman of the park commission, the chairman of the water commission, the tree warden, the chairman of the planning board, the chairman of the assessors of taxes, the chairman of the sinking fund commission and the members of the finance committee. Any elected town meeting member who becomes by appointment or election one of the officers designated as town meeting members ex officio shall upon such appointment or election cease to be an elected town meeting member. The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, such notices to be sent by mail at least seven days before any such meeting and to be in addition to the warrant for such meeting duly published. The elected town meeting members as aforesaid shall be the judges of the election and qualification of the elected town meeting members. A majority of the town meeting members shall constitute a quorum for doing business; but a less number may

Notices of town meetings, etc.

Quorum.

organize temporarily and may adjourn from time to time. Notice of every adjourned town meeting shall be posted by the town clerk in one or more public places in each precinct. All town meetings shall be public. The town meeting members as such shall receive no compensation. Subject to such conditions as may be determined from time to time by the town meeting members, any voter of the town who is not a town meeting member may speak, but he shall not vote. An elected town meeting member may resign by filing a written resignation with the town clerk, and such resignation shall take effect on the date of such filing. An elected town meeting member who removes from the town or from the precinct from which he was elected shall cease to be a town meeting member.

Notice of adjourned town meetings to be posted, etc.

Resignations, etc.

SECTION 4. Nominations of candidates for town meeting members to be elected under this act shall be made by nomination papers which shall bear no political designation and shall be signed by not less than ten registered voters of the precinct in which the candidate resides and filed with the town clerk at least ten days before the election. No nomination papers shall be valid in respect to any candidate unless his written acceptance is endorsed thereon or attached thereto.

Nominations, how made.

SECTION 5. All articles in the warrant for every town meeting, so far as they relate to the election of the town moderator, town officers, and town meeting members, as herein provided, referenda and all matters to be acted upon and determined by ballot, shall be so acted upon and determined by the registered voters of the town in their respective precincts. All other articles in the warrant for any town meeting shall be acted upon and determined exclusively by town meeting members at a representative town meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for the meeting, and subject to the referendum provided for by section eight.

Warrant articles, how acted upon, etc.

SECTION 6. A moderator shall be elected by the registered voters of the town by ballot at each annual town election and shall serve as the moderator of all town meetings except as otherwise provided by law until his successor is elected and qualified. Nominations for moderator and his election shall be as in the case of other elective town officers, and any vacancy in such office may be filled by the town meeting members at a representative town meeting held for that purpose. If a moderator is absent, a moderator pro tempore may be elected by the town meeting members.

Moderator, election, etc.

Vacancies, how filled, etc.

Calling and notice of special meeting.

Election by ballot, etc.

Disposition of warrant articles, etc.

Votes, when operative.

Referendum.

SECTION 7. In the event of any vacancy in the full number of elected town meeting members from any precinct the remaining elected members of the precinct may choose from among the registered voters thereof a successor to serve until the next annual election. The town clerk may, and upon a petition therefor signed by not less than ten elected town meeting members from the precinct shall, call a special meeting for the purpose of filling such vacancy and mail notice thereof to the remaining members from the precinct specifying the object and the time and place of such meeting which shall be held not less than four days after the mailing of such notice. At such meeting a majority of such members shall constitute a quorum and shall elect from their own number a chairman and a clerk. The election to fill such vacancy shall be by ballot and a majority of the votes cast shall be required for a choice. The clerk shall forthwith file with the town clerk a certificate of such election together with a written acceptance by the member so elected who shall thereupon be deemed elected and qualified as an elected town meeting member subject to the provisions of section three respecting the election and qualification of elected town meeting members.

SECTION 8. No article in the warrant shall at any representative town meeting be finally disposed of by a vote to lay upon the table, to indefinitely postpone, or to take no action thereunder. No vote passed at any representative town meeting under any article in the warrant, except a vote to adjourn or a vote for the temporary borrowing of money in anticipation of revenue or a vote declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety or convenience of the town, shall be operative until after the expiration of seven days exclusive of Sundays and holidays, from the date of such vote. If, within said seven days a petition, signed by not less than five per cent of the registered voters of the town, containing their names together with their street addresses, is filed with the selectmen, asking that the question or questions involved in such vote be submitted to the voters of the town at large, then the selectmen within fourteen days of the filing of such petition shall call a special meeting which shall be held within ten days after notice of the call, for the sole purpose of presenting to the voters at large the question or questions so involved. All votes upon any questions submitted shall be taken by ballot and the check lists shall be used in the several precincts in the same manner in which they are used in the

election of town officers. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and no ballots shall be removed or counted before the closing of the polls. The question or questions submitted to be voted upon at said town meeting shall be stated upon the ballot in the same language and form in which they were stated when finally presented to said representative town meeting by the moderator as appears upon the records of said meeting. If such petition be not filed within said period of seven days, the vote in the representative town meeting shall become operative and effective upon the expiration of said period.

Questions, how stated upon ballot, etc.

SECTION 9. Except as otherwise provided, the town meeting members acting as such shall exercise exclusively all powers vested in the town as a body corporate. But nothing herein contained shall abridge the powers of town officers as such nor relieve such officers of any of their duties.

Powers of town meeting members.

SECTION 10. No right secured to the voters or to the people of the town of West Springfield by the constitution of this commonwealth shall be abridged by this act; nor shall this act confer upon any representative town meeting the power to commit said town to any proposition affecting its municipal existence or the form of its government without action thereon by the voters of said town at large using the ballot and check lists therefor.

Certain rights not abridged, etc.

SECTION 11. This act shall be submitted to the registered voters of the town of West Springfield for their acceptance at the next state election in the form of the following question which shall be placed upon the official ballot: "Shall an act passed by the general court in the year nineteen hundred and twenty-two, entitled 'An Act providing for precinct voting, representative town meetings, town meeting members, a referendum and an annual moderator in the town of West Springfield' be accepted?" If a majority of the voters present and voting thereon vote in the affirmative in answer to said question, this act shall be deemed accepted.

To be submitted to voters of West Springfield, etc.

SECTION 12. This act shall take full effect upon its acceptance by the town as herein provided, except that, until the first election of town meeting members as herein provided, the business of the town, in so far as the same may require a vote of the town, shall be conducted by the registered voters at a town meeting duly warned and held in accordance with the general provisions of law existing at the time of the passage of this act.

Time of taking effect.

Approved April 17, 1922.

Chap.312 AN ACT FIXING RESPONSIBILITY AND PROVIDING ADDITIONAL PENALTIES FOR VIOLATION OF THE LAWS RELATIVE TO BANKS.

Be it enacted, etc., as follows:

G. L. 167, new sections after § 45.

Responsibility of certain officers, etc., of banks.

Penalties for violation of laws relative to banks.

Chapter one hundred and sixty-seven of the General Laws is hereby amended by adding at the end thereof the following new sections: — *Section 46.* In addition to the duties imposed by law upon the treasurer of a bank, or the officer or employee thereof charged with the duties and functions usually performed by the treasurer, he shall also be responsible for the performance of all acts and duties required of such corporation by the provisions of chapters one hundred and sixty-seven to one hundred and seventy-two, inclusive, except in so far as such performance has been expressly imposed on some other officer or employee of such bank by its regulations or by-laws or by provision of law. *Section 47.* Any officer, director, trustee, agent or employee of any bank, who knowingly and wilfully does any act forbidden to him or to such bank by any provision of chapters one hundred and sixty-seven to one hundred and seventy-two, inclusive, or who knowingly and wilfully aids or abets the doing of any act so forbidden to such bank or to any other officer, director, trustee, agent or employee thereof, or who knowingly and wilfully fails to do any act required of him by any such provision, or who knowingly and wilfully fails to do any act which is required of such bank by any such provision the performance of which is imposed on him by the by-laws or regulations of the bank or by law or the responsibility for the non-performance of which is placed upon him by the preceding section, shall, if no other penalty against him in his aforesaid capacity is specifically provided, be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Approved April 17, 1922.

Chap.313 AN ACT PROVIDING FOR THE PUNISHMENT OF CERTAIN CRIMES RELATING TO BANKS AND BANKING.

Be it enacted, etc., as follows:

G. L. 266, § 52, amended.

SECTION 1. Chapter two hundred and sixty-six of the General Laws is hereby amended by striking out section fifty-two and inserting in place thereof the following: — *Section*

52. An officer, director, trustee, agent or employee of a bank, as defined in section one of chapter one hundred and sixty-seven, who fraudulently converts, or fraudulently takes and secretes with intent so to do, any bullion, money, note, bill or other security for money which belongs to and is in possession of such bank, or which belongs to any person and is deposited therein, shall, whether intrusted with the custody thereof or not, be guilty of larceny from said bank, and shall be punished by imprisonment in the state prison for not more than fifteen years, or by a fine of not more than two thousand dollars and imprisonment in jail for not more than two and one half years.

Officers, employees, etc., of banks when guilty of larceny from bank, penalty, etc.

SECTION 2. Said chapter two hundred and sixty-six is hereby further amended by inserting after section fifty-three the following new section: — *Section 53A.* An officer, director, trustee, agent or employee of a bank, as defined in section one of chapter one hundred and sixty-seven, who willfully misapplies otherwise than as described in section fifty-two or fifty-three, any of the moneys, funds, credits or other property of such bank; or who, without authority from the directors or trustees of such bank, executes or issues a certificate of deposit, order or bill of exchange, or makes an acceptance, purporting to be executed, issued or made by such bank; or who, without such authority, assigns any note, bond, draft, bill of exchange, mortgage, judgment, decree or other property of such bank; or who loans the funds or credit of such bank to any individual, corporation, joint stock company, trust, association or partnership known by him to be insolvent; or who knowingly receives or accepts for such bank any fictitious, valueless, inadequate or irresponsible obligation directly or as security or endorsement unless the consideration or security is otherwise sufficient, or unless it shall be necessary to prevent loss upon a debt previously contracted in good faith; or who certifies any check drawn upon such bank unless the drawer then has on deposit with the bank and entered to his credit on its books not less than the amount of money specified in the check; or who resorts to any fictitious or colorable loan, transfer or device to avoid any provision of law relating to such bank; or who knowingly makes or causes to be made any false entry in any book, report or statement of such bank; and any person who knowingly aids or abets any violation of this section shall be punished by a fine of not more than ten thousand dollars or by imprisonment in the state prison for not more than ten

G. L. 266, new section after § 53.

Officers, employees, etc., of banks, penalties for certain acts, etc.

years, or in a jail or house of correction for not more than two and one half years, or by both such fine and imprisonment.

G. L. 266, § 55,
amended.

Embezzlement
by liquidating
agents and
receivers of
banks, penal-
ties.

SECTION 3. Said chapter two hundred and sixty-six is hereby further amended by striking out section fifty-five and inserting in place thereof the following: — *Section 55.* An agent appointed by the commissioner of banks for the purposes of liquidating the affairs of a bank, as defined in section one of chapter one hundred and sixty-seven, or a person employed by said commissioner under section twenty-six of said chapter, or a receiver or other officer appointed by a court of record, who embezzles or fraudulently converts, or fraudulently takes and secretes with intent so to do, or wilfully misapplies, moneys, funds, credits or other property in his possession by virtue of his appointment or employment, shall be guilty of larceny and shall be punished by imprisonment in the state prison for not more than ten years, or by a fine of not more than one thousand dollars and imprisonment in a jail or house of correction for not more than two years.

Approved April 17, 1922.

Chap. 314 AN ACT RELATIVE TO THE FILING OF INTERROGATORIES IN CIVIL ACTIONS.

Be it enacted, etc., as follows:

G. L. 231, § 63,
amended.

Filing of inter-
rogatories in
civil actions.

Chapter two hundred and thirty-one of the General Laws is hereby amended by striking out section sixty-three and inserting in place thereof the following: — *Section 63.* Interrogatories shall be filed in the clerk's office, and notice of such filing, with a copy of the interrogatories, shall be sent by the party interrogating to the party interrogated, or to his attorney of record, and the party interrogated shall file answers to such interrogatories within ten days after such notice, unless the court otherwise orders; but no party interrogated shall be obliged to answer a question or produce a document tending to criminate him or to disclose his title to any property the title whereof is not material to an issue in the proceeding in the course of which he is interrogated, nor to disclose the names of witnesses, except that the court may compel the party interrogated to disclose the names of witnesses and their addresses if justice seems to require it, upon such terms and conditions as the court deems expedient. A party shall not interrogate an adverse party more than once unless the court otherwise orders.

Exception.

Approved April 18, 1922.

AN ACT RELATIVE TO THE BUYING AND SELLING OF POOLS *Chap.315*
AND TO THE REGISTERING OF BETS.

Be it enacted, etc., as follows:

Chapter two hundred and seventy-one of the General Laws is hereby amended by striking out section seventeen and inserting in place thereof the following: — *Section 17.* Whoever keeps a building or room, or any part thereof, or occupies, or is found in, any place, way, public or private, park or parkway, or any open space, public or private, or any portion thereof, with apparatus, books or any device, for registering bets, or buying or selling pools, upon the result of a trial or contest of skill, speed or endurance of man, beast, bird or machine, or upon the result of a game, competition, political nomination, appointment or election, or whoever is present in such place, way, park or parkway, or any such open space, or any portion thereof, engaged in such business or employment; or, being such keeper, occupant, person found or person present, as aforesaid, registers such bets, or buys or sells such pools, or is concerned in buying or selling the same; or, being the owner, lessee or occupant of a building or room, or part thereof, or private grounds, knowingly permits the same to be used or occupied for any such purpose, or therein keeps, exhibits, uses or employs, or knowingly permits to be therein kept, exhibited, used or employed, any device or apparatus for registering such bets, or for buying or selling such pools, or whoever becomes the custodian or depositary for hire, reward, commission or compensation in any manner, of any pools, money, property or thing of value, in any manner staked or bet upon such result, shall be punished by a fine of not more than two thousand dollars or by imprisonment for not more than one year. *Approved April 18, 1922.*

G. L. 271, § 17,
amended.

Buying and
selling pools
and registering
bets, penalty.

AN ACT RELATIVE TO GARAGES IN THE CITY OF BOSTON. *Chap.316*

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter five hundred and seventy-seven of the acts of nineteen hundred and thirteen, as amended by section two of chapter one hundred and nineteen of the acts of nineteen hundred and fourteen, is hereby further amended by adding at the end thereof the following: — ; provided, that no application shall be granted and no permit issued for the erection, maintenance or use of any

1913, 577, § 3,
etc., amended.

structure or building as a garage for more than four cars on the same street as, and within five hundred feet of, any building occupied in whole or in part as a public or private school having more than fifty pupils, or as a public or private hospital having more than twenty-five beds, or as a church, — so as to read as follows: — *Section 3.* At the time and place specified in the notice for the hearing the said board shall hear all parties interested, and after giving consideration to the interests of all owners of record notified, and the general character of the neighborhood in which is situated the land or building referred to in the application, shall determine whether or not the application shall be granted and a permit issued; provided, that no application shall be granted and no permit issued for the erection, maintenance or use of any structure or building as a garage for more than four cars on the same street as, and within five hundred feet of, any building occupied in whole or in part as a public or private school having more than fifty pupils, or as a public or private hospital having more than twenty-five beds, or as a church.

Garages in Boston, permits for erection, maintenance, etc.

Proviso.

Provisions of act not to apply to certain buildings, etc.

To be submitted to city council, etc.

Proviso.

SECTION 2. The provisions of this act shall not apply to a building maintained as a garage for the storage, keeping or care of automobiles at the time of the passage of this act, but any enlargement or alteration of, or addition to, any such building shall be subject to the provisions of this act.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 18, 1922.

Chap. 317 AN ACT RELATIVE TO THE REQUIREMENTS FOR REGISTRATION OF BROKERS AND SALESMEN UNDER THE LAWS REGULATING THE PROMOTION AND SALE OF SECURITIES AND RELATIVE TO THE ISSUANCE OF CIRCULARS, PAMPHLETS AND ADVERTISEMENTS BY BROKERS.

Be it enacted, etc., as follows:

G. L. 110A, § 8, etc., amended.

SECTION 1. Section eight of chapter one hundred and ten A of the General Laws, as inserted by section one of chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-one, is hereby amended by inserting after the word "salesman" in the second line the words: —, except as provided in paragraph (b) of section ten, — by inserting after the word "entitled" in the thirty-third line the

words: — , as a matter of right, — and by striking out all after the word “thereof” in the thirty-sixth line down to and including the word “larceny” in the thirty-seventh line and inserting in place thereof the words: — , has been convicted of a felony, — so as to read as follows: — *Section 8.* No person shall sell securities within this commonwealth as broker or salesman, except as provided in paragraph (b) of section ten, unless he has been registered by the commission. Any person may become registered upon complying with the provisions of this section. An application for such registration shall state the applicant’s name and residence, and the place where the registered business is to be conducted, shall be accompanied by a certificate of two citizens of the commonwealth that the applicant is, in their opinion, honest and of good repute, or, in case the applicant is a partnership or corporation, that the reputation of its members or officers for honesty and fair dealing is good. Every registration under this section shall expire on the thirty-first day of December in each year, but the same may be renewed; provided, however, registrations made after the effective date of this chapter and during the year nineteen hundred and twenty-one shall not expire until the thirty-first day of December, nineteen hundred and twenty-two. The fee for such registration and for each annual renewal thereof shall be fifty dollars in case of brokers and two dollars in case of salesmen. Said fees shall be paid into the state treasury. No non-resident person not having a usual place of business in the commonwealth shall be so registered unless and until he has filed with the commission a writing, in a form to be approved by the attorney-general, appointing the secretary of the commission or his successor in office to be his true and lawful attorney upon whom all lawful processes in any action or proceeding against him may be served, and in such writing shall agree that any lawful process against him which is served on said attorney shall be of the same legal force and validity as if in fact served on the applicant, and that the authority shall continue in force so long as any liability remains outstanding against the applicant in this commonwealth. No person shall be entitled, as a matter of right, to registration hereunder if he, or any member of the firm, in case of a partnership, or, in case of a corporation, any officer thereof, has been convicted of a felony. Conviction of such an offense or of a violation of any provision of this chapter shall render void the registration of the person convicted or of the firm or corporation of which he is a mem-

Registration of brokers and salesmen selling securities.

Applications, what to state, etc.

Expiration of registrations.

Proviso.

Registration fees.

Appointment of attorney by non-resident registrants for service of process, etc.

Persons convicted of felony not entitled to registration, etc.

Findings and reports as to registrants acting fraudulently.

Supreme judicial and superior courts may restrain registrants acting fraudulently.

G. L. 110A, § 10, par. (b), etc., amended.

Circulars, pamphlets and advertisements concerning securities,

ber or officer, but the commission may, after hearing, restore such registration. If it appears to the commission that any registrant is conducting his business as a broker or salesman in a fraudulent manner or wilfully and purposely evading or seeking to nullify the provisions of this chapter, the commission, upon notice to the registrant, may make a finding to that effect and shall report such finding, accompanied by the evidence connected therewith, to the attorney-general or to any district attorney, who shall forthwith, if in his opinion the facts warrant, file a petition either in the name of the commission or in his own name in the supreme judicial court or in the superior court, setting forth the finding of the commission and any other facts deemed by him pertinent and material, and praying for an order restraining or enjoining the registrant from the further exercise of any right under his registration for such time as the court may order. The supreme judicial and superior courts shall have jurisdiction in equity of such a petition to restrain or enjoin the registrant as aforesaid if in the opinion of the court the registrant is acting or has been acting fraudulently or in violation of any provision of this chapter.

SECTION 2. Section ten of said chapter one hundred and ten A, as inserted by section one of chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-one, is hereby amended by striking out the first sentence of paragraph (b) and inserting in place thereof the following: — A broker registered under this chapter shall place the name under which he is registered and his address upon all circulars, pamphlets or advertisements issued by him concerning any security. No person, other than a broker registered under this chapter, shall issue any circular or pamphlet or procure the publication of any advertisement concerning securities not exempted under section three within the commonwealth, unless such circular, pamphlet or advertisement is signed by such person and all the persons contributing to the cost thereof with their respective addresses and a statement of their respective interests in such securities, or unless the circular, pamphlet or advertisement is signed or its issuance procured or paid for by a so-called syndicate or group of persons at least one of whom is a broker registered under this chapter, — so that said paragraph (b) will read as follows: — (b) A broker registered under this chapter shall place the name under which he is registered and his address upon all circulars, pamphlets or advertisements issued by him concern-

ing any security. No person, other than a broker registered under this chapter, shall issue any circular or pamphlet or procure the publication of any advertisement concerning securities not exempted under section three within the commonwealth, unless such circular, pamphlet or advertisement is signed by such person and all the persons contributing to the cost thereof with their respective addresses and a statement of their respective interests in such securities, or unless the circular, pamphlet or advertisement is signed or its issuance procured or paid for by a so-called syndicate or group of persons at least one of whom is a broker registered under this chapter. The commission may at any time require information showing the compliance of any one so advertising or so issuing circulars or pamphlets with the provisions of this section; and may also, at any time, require in the case of any security the sale of which it has reason to believe has been fraudulent or if continued would result in a fraud, information as to the amount of such security sold to any person, and the person or persons to whom any such security has been sold and the terms and nature of such sale, provided the security is not exempted by the provisions of section three.

insurance restricted, etc.

Commission may require certain information relative to advertising, etc.

Proviso.

Approved April 18, 1922.

AN ACT RATIFYING CERTAIN CORRECTIONS IN THE GENERAL LAWS. Chap. 318

Be it enacted, etc., as follows:

The corrections made in the proofs of the General Laws pursuant to chapter eighty-six of the resolves of nineteen hundred and twenty and to chapter fifty-four of the resolves of nineteen hundred and twenty-one, as set forth in the report of the joint special committee on printing the General Laws, appointed under said chapter eighty-six, which report was printed as house document number sixteen hundred and eighty-eight for the year nineteen hundred and twenty-one, and the further corrections made in said proofs as set forth in the second report of said joint special committee, printed as house document number twelve hundred and seventy-two for the year nineteen hundred and twenty-two, are hereby ratified and confirmed and made a part of the General Laws.

Certain corrections in General Laws ratified.

Approved April 18, 1922.

Chap.319 AN ACT PROVIDING FOR THE BIENNIAL PREPARATION OF
THE MANUAL OF THE GENERAL COURT.

Be it enacted, etc., as follows:

G. L. 5, § 11,
amended.

Manual of the
general court,
biennial prep-
aration, etc.

Chapter five of the General Laws is hereby amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* The clerks of the two branches shall in every odd-numbered year prepare a manual of the general court, of which fourteen thousand copies shall, under their direction, be printed and distributed as follows: four copies to each member of the general court; one copy to each member of the executive department, to the clerk and assistant clerk of each branch of the general court, and to each reporter who is entitled to the privileges of the reporters' gallery in either branch; and ten copies to the state library.

The state secretary shall send thirty additional copies to each member of the general court, and one copy to each free public library in the commonwealth, to each town clerk for the use of said town and to each of the justices, clerks and registers of courts, trial justices, registers of deeds, county commissioners, treasurers and sheriffs of the several counties, medical examiners, associate medical examiners, trustees and superintendents of the several state institutions, officers of the several state departments, boards and commissions, and principals of the state normal schools.

Under the direction of the clerks of the two branches, three hundred copies shall be reserved for the use of the general court at the annual session held in each even-numbered year and three hundred copies for the use of the succeeding general court, and fifty additional copies shall be placed in the state library for exchange.

Copies not required for the foregoing purposes shall be distributed at the discretion of the clerks of the two branches, preference being given to the members of the general court and to state officers.

Approved April 18, 1922.

Chap.320 AN ACT RELATIVE TO THE PROCURING OF PORTRAITS AND
OTHER SUITABLE MEMORIALS OF FORMER GOVERNORS.

Be it enacted, etc., as follows:

G. L. 8, new
section after
§ 19.

Chapter eight of the General Laws is hereby amended by inserting after section nineteen the following new section: —

Section 19A. The governor, with the advice and consent of the council, may, on behalf of the commonwealth, accept or otherwise procure suitable portraits or other memorials of the governors of the commonwealth and also of the governors of the province and colony of Massachusetts Bay and the colony of New Plymouth. Portraits or other memorials procured under this section shall be submitted to the art commission for approval prior to their installation in the state house which shall be under the direction of said commission.

Procuring of portraits and other suitable memorials of former governors.

Approved April 18, 1922.

AN ACT RELATING TO REAL ESTATE HELD FOR BANKING PURPOSES BY TRUST COMPANIES.

Chap.321

Be it enacted, etc., as follows:

Chapter one hundred and seventy-two of the General Laws is hereby amended by striking out section forty-one and inserting in place thereof the following: — *Section 41.* Such corporation may hold real estate suitable for the transaction of its business to an amount, including the cost of alterations and additions in the nature of permanent fixtures, not exceeding, directly or indirectly, twenty-five per cent of its capital actually paid in and its surplus account, and in no case exceeding two hundred and fifty thousand dollars in a city or town of less than two hundred thousand inhabitants, or four hundred thousand dollars in a city of two hundred thousand or more. The amount of any mortgage on real estate owned by a trust company directly or indirectly and in whole or in part used by it for the transaction of its business, and the amount of money invested by a trust company in the securities of any corporation, trust or other organization which holds real estate in whole or in part used for the transaction of the business of such trust company or intended for such use, shall be included in determining the amount of real estate that may be held by such trust company under this section.

G. L. 172, § 41, amended.

Trust companies may hold real estate for banking purposes.

Approved April 18, 1922.

AN ACT AUTHORIZING THE TOWN OF WAKEFIELD TO MAKE AN ADDITIONAL WATER LOAN.

Chap.322

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending and relaying its water mains and improving its water distribution facilities,

Town of Wakefield may make an additional water loan.

Wakefield
Water Loan,
Act of 1922.

the town of Wakefield may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Wakefield Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Payment of
loan.

SECTION 2. The town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 22, 1922.

Chap. 323 AN ACT RELATIVE TO THE SALARIES OF THE PRESENT DEPUTIES IN THE OFFICE OF THE TREASURER AND RECEIVER-GENERAL.

Be it enacted, etc., as follows:

1920, 381, § 1,
amended.

Section one of chapter three hundred and eighty-one of the acts of nineteen hundred and twenty is hereby amended by adding at the end thereof the following: — ; provided, that the treasurer and receiver-general may, with the approval of the governor and council, increase the salary of either of said deputies, — so as to read as follows: — *Section 1.* The annual salary of the present first deputy in the office of the treasurer and receiver-general shall be forty-five hundred dollars, and the annual salary of the present second deputy shall be three thousand dollars; provided, that the treasurer and receiver-general may, with the approval of the governor and council, increase the salary of either of said deputies.

Salaries of present
deputies in
office of
treasurer and
receiver-
general.

Proviso.

Approved April 22, 1922.

AN ACT RELATIVE TO THE APPROVAL OF REQUESTS FOR APPROPRIATIONS AND ACCOUNTS REQUIRING EXPENDITURES BY THE COMMONWEALTH FOR THE SOLDIERS' HOME IN MASSACHUSETTS. Chap.324

Be it enacted, etc., as follows:

All requests for appropriations for the Soldiers' Home in Massachusetts and all accounts for expenditures for said home which by law require approval shall be approved by the trustees thereof or, if the trustees so vote, by the chairman or some member designated by him.

Requests for appropriations for Soldiers' Home in Massachusetts, etc., approval, etc.

Approved April 22, 1922.

AN ACT AUTHORIZING THE TRUSTEES OF THE NORFOLK COUNTY AGRICULTURAL SCHOOL TO MAKE CERTAIN IMPROVEMENTS AT SAID SCHOOL. Chap.325

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Norfolk county agricultural school may expend a sum not exceeding twenty-five thousand dollars, to be provided by Norfolk county, for the construction and equipment of a farm shop and necessary alterations in the present dormitory and other buildings.

Trustees of Norfolk county agricultural school may make certain improvements, etc.

SECTION 2. For the purposes aforesaid, the county commissioners of said county may from time to time borrow upon the credit of the county sums not exceeding twenty-five thousand dollars in the aggregate and may issue bonds or notes of the county therefor. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners, shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date, and the annual payment upon the loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper but not for less than their par value, and the proceeds shall be used only for the purposes herein specified and shall be paid to the trustees of the said school by the treasurer of the county upon their requisitions.

Loans by Norfolk county commissioners.

Payment
of loans.

SECTION 3. The county commissioners, at the time of authorizing said loan or loans, shall provide for the payment thereof in accordance with section two and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid and to make such payments on the principal as may be required by this act, shall be levied as a part of the county tax of the said county annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

To be sub-
mitted to Nor-
folk county
commissioners.
Proviso.

SECTION 4. This act shall take effect upon its acceptance by the county commissioners of Norfolk county; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 22, 1922.

Chap.326 AN ACT INCREASING THE AUTHORITY OF THE TRUSTEES OF
DUMMER ACADEMY TO BORROW MONEY.

Be it enacted, etc., as follows:

1908, 400, § 1,
amended.

Section one of chapter four hundred of the acts of nineteen hundred and eight is hereby amended by striking out, in the fifth line, the word "fifteen" and inserting in place thereof the word: — forty, — so as to read as follows: — *Section 1.* The trustees of Dummer Academy, incorporated by an act of the general court passed on the third day of October, seventeen hundred and eighty-two, are hereby authorized and empowered, for the purposes set forth in said act, to borrow money to the amount of forty thousand dollars, and to mortgage its real estate situated in the town of Newbury as security for such loan.

Approved April 22, 1922.

Trustees of
Dummer Acad-
emy may
borrow money,
etc.

Chap.327 AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL DIS-
EASES TO ACQUIRE AN ADDITIONAL WATER SUPPLY FOR
THE GARDNER STATE COLONY.

Be it enacted, etc., as follows:

Department of
mental diseases
may acquire
an additional
water supply
for Gardner
state colony.

For the purpose of supplying the Gardner state colony with pure water for domestic and other purposes, the department of mental diseases, on behalf of the commonwealth, may, with the approval of the governor and council, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by gift, purchase or otherwise, the waters of any pond or stream, or of any ground water sources of supply, by means of driven, artesian or other wells, within the limits of the town of Gardner, and the water rights con-

nected with any such water sources; and may so take, or acquire by gift, purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, holding, purifying and preserving the purity of such water and for conveying the same to any part of the lands of the Gardner state colony. For the purposes of this act, the said department may purchase water from the town of Gardner, any adjoining municipality, or from any individual or corporation therein, at such price as may be mutually agreed upon by said department and the vendor and approved by the governor and council, and the said municipalities are hereby authorized to sell water to said department. No source of water supply and no lands necessary for preserving the quality of the water shall be taken or used under this act without first obtaining the approval of the department of public health, and the location of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said department.

Approved April 22, 1922.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO RETIRE AND PENSION ROBERT C. P. COGGESHALL. Chap.328

Be it enacted, etc., as follows:

SECTION 1. The city of New Bedford, acting through the New Bedford water board, may retire Robert C. P. Coggeshall, superintendent of water works, on an annual pension equal to one half the amount of the annual salary paid to him at the time of his retirement.

City of New Bedford may retire and pension Robert C. P. Coggeshall.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter.

To be submitted to city council, etc.

Approved April 25, 1922.

AN ACT RELATIVE TO THE TAXATION OF CERTAIN INCOME AS AFFECTED BY OWNERSHIP OF CERTAIN SHIPS AND VESSELS. Chap.329

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter sixty-two of the General Laws is hereby amended by inserting after the word "assets", in the fourteenth line, the words: — , except such ships and vessels as are described in section eight of chapter fifty-nine, — so that subsection (b) will read as follows: —

G. L. 62, § 6, subsect. (b), amended.

Taxation of income, deductions for depreciation, etc., of property.

Proviso.

G. L. 62, § 6, subsect. (g), amended.

Taxation of incomes, deduction of five per cent of value of certain tangible property.

(b) A reasonable allowance for depreciation and obsolescence of property within such year, and for depletion within the year of wasting assets, except such ships and vessels as are described in section eight of chapter fifty-nine, owned by the person taxed and used in the profession, employment, trade or business; provided, that with the approval of the commissioner a taxpayer may, in lieu of the aforesaid allowance for depreciation and obsolescence, be allowed to deduct actual expenses of replacement of capital and extraordinary repairs, and with such approval may in any year defer such deductions in whole or in part to one or more subsequent years.

SECTION 2. Said section six is hereby further amended by inserting after the word "personal" in the forty-sixth line the words: — , except such ships and vessels as are described in section eight of chapter fifty-nine, — so that subsection (g) will read as follows: — (g) An amount equal to five per cent of the assessed value, less the amount of all mortgages thereon, of the stock in trade and other tangible property, real and personal, except such ships and vessels as are described in section eight of chapter fifty-nine, owned by the person taxed and used or employed in the profession, employment, trade or business within or without the commonwealth, on the day as of which such property is assessed in the year for which the income is computed. In case any such stock in trade or other tangible property located without the commonwealth is taxed in respect of its income, and not in respect of its capital value, by the taxing district where located in such year, the commissioner may determine its value in any other manner, and may allow a deduction of an amount equal to five per cent of the value so determined.

Approved April 26, 1922.

Chap. 330 AN ACT RELATIVE TO THE SALARY OF THE PRINCIPAL APPRAISER IN THE DEPARTMENT OF CORPORATIONS AND TAXATION.

Be it enacted, etc., as follows:

G. L. 14, § 4, etc., amended.

Section four of chapter fourteen of the General Laws, as amended by section two of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the eighteenth and nineteenth lines, the words " , not exceeding three thousand dollars, as the commissioner may fix" and inserting in place

thereof the words: — as may be fixed by the commissioner, with the approval of the governor and council, — so as to read as follows: — *Section 4.* The commissioner may, with the advice and consent of the governor and council, appoint and remove the following officers and subordinates in his department:

Deputy commissioners and other subordinates in department of corporations and taxation, appointment, salaries, etc.

A deputy commissioner, at such salary, not exceeding five thousand dollars, as may be fixed by the commissioner, with the approval of the governor and council;

A second deputy, at such salary, not exceeding four thousand dollars, as may be fixed by the commissioner, with the approval of the governor and council;

Directors of divisions, at such salary as may be fixed by the commissioner, with the approval of the governor and council;

Three supervisors of assessors, two assistants, four examiners, one income tax assessor for each district established by the commissioner for the assessment and collection of the income tax, and such deputy income tax assessors, who may be members of local boards of assessors as the governor and council may deem necessary, all at salaries to be fixed by the commissioner;

A principal appraiser, at such salary as may be fixed by the commissioner, with the approval of the governor and council;

Such assistants to the director of accounts as may from time to time be necessary to carry out sections forty-four to forty-seven, inclusive, of chapter thirty-five, and sections thirty-five to forty-three, inclusive, of chapter forty-four, who shall receive such compensation as the commissioner may fix.

He may appoint two permanent clerks, and may fix their salaries, and may appoint such assistants to the director of the income tax division, and such assistants and clerks to the income tax assessors, as the governor and council may deem necessary, and may fix their salaries.

He may appoint from time to time such appraisers as may be necessary to appraise property subject to the inheritance tax or to assist him in determining land values under section thirteen of chapter fifty-eight, and may fix their compensation.

He may appoint such additional officials, agents, clerks and other employees as the work of the department requires, may remove them, and may fix their compensation.

Approved April 26, 1922.

Chap.331 AN ACT RELATIVE TO THE CONSTABULARY FORCE IN THE
DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

G. L. 22, § 9A,
etc., amended.

Department of
public safety,
constabulary
force, appoint-
ments, etc.

Rules and regu-
lations.

Proviso.

Discipline, etc.

Annual
expenditure.

Number of ad-
ditional ap-
pointments
during current
year.

SECTION 1. Section nine A of chapter twenty-two of the General Laws, inserted therein by chapter four hundred and sixty-one of the acts of nineteen hundred and twenty-one, is hereby amended by striking out, in the fifth line, the word "fifty" and inserting in place thereof the words: — one hundred and forty, — so as to read as follows: — *Section 9A.* Whenever the governor shall deem it necessary to provide more effectively for the protection of persons and property and for the maintenance of law and order in the commonwealth, he may authorize the commissioner to make additional appointments not exceeding one hundred and forty in number to the division of state police, together with such other employees as the governor may deem necessary for the proper administration thereof. The appointment of the additional officers herein provided for shall be by enlistment for terms not exceeding three years, and such appointees shall be exempt from the requirements of civil service law and rules. Said additional officers shall have and exercise within the commonwealth all the powers of constables, except the service of civil process, and of police officers and watchmen. The commissioner may, subject to the approval of the governor, make rules and regulations for said additional force, including matters pertaining to their discipline, organization and government, compensation and equipment, and means of swift transportation; provided, that said force shall not be used or called upon for service in any industrial dispute, unless actual violence has occurred therein, and then only by order of the governor or the person acting in his place. Any member of said force violating any of the rules or regulations for said force shall be subject to discipline or discharge in accordance with said rules and regulations. The commissioner may expend annually for the expenses of administration, organization, government, training, compensation, equipment and maintenance such amount as the general court may appropriate.

SECTION 2. Of the ninety additional appointments to the division of state police authorized by section one, not more than sixty shall be made during the current year.

Approved April 26, 1922.

AN ACT AUTHORIZING THE CONSTRUCTION AND MAINTENANCE OF A PRIVATE BRIDGE OVER NASKETUCKET RIVER IN FAIRHAVEN. *Chap. 332*

Approved April 26, 1922.

AN ACT RELATIVE TO THE FIXING OF CERTAIN SALARIES AND FOR OTHER PURPOSES. *Chap. 333*

Be it enacted, etc., as follows:

SECTION 1. Section seventeen of chapter twelve of the General Laws, as amended by section three of chapter three hundred and four of the acts of the current year, is hereby further amended by striking out, in the third line, the word "treasurer" and inserting in place thereof the word: — auditor, — so as to read as follows: — *Section 17.* The salaries of district attorneys for the several districts, except Suffolk, shall, in January, nineteen hundred and twenty-two, and every five years thereafter, be adjusted by the state auditor, upon the basis of the annual average disposition of criminal cases in their respective districts for the five years preceding the first day of October immediately preceding, as determined by the returns of the clerks of courts made to the commissioner of correction under section eight of chapter one hundred and twenty-four, in accordance with the following schedule; and the salaries of the assistant and second assistant district attorneys in the several districts, except Suffolk, shall be sixty and forty-five per cent, respectively, of the salaries of their respective district attorneys, as so adjusted; all of said salaries shall be allowed from January first in the year of adjustment and be paid by the commonwealth.

G. L. 12, § 17,
etc., amended.

Adjustment of
salaries of dis-
trict attorneys
and assistant
and second
assistant dis-
trict attorneys.

Chap.331 AN ACT RELATIVE TO THE CONSTABULARY FORCE IN THE
DEPARTMENT OF PUBLIC SAFETY.

D. M. ...

Chapter 331, Acts of 1922.

Referendum petition filed May 10, 1922,

See page 760.

Rules and regu-
lations.

Proviso.

Discipline, etc.

Annual
expenditure.

Number of ad-
ditional ap-
pointments
during current
year.

wealth, he may authorize the commissioner to make additional appointments not exceeding one hundred and forty in number to the division of state police, together with such other employees as the governor may deem necessary for the proper administration thereof. The appointment of the additional officers herein provided for shall be by enlistment for terms not exceeding three years, and such appointees shall be exempt from the requirements of civil service law and rules. Said additional officers shall have and exercise within the commonwealth all the powers of constables, except the service of civil process, and of police officers and watchmen. The commissioner may, subject to the approval of the governor, make rules and regulations for said additional force, including matters pertaining to their discipline, organization and government, compensation and equipment, and means of swift transportation; provided, that said force shall not be used or called upon for service in any industrial dispute, unless actual violence has occurred therein, and then only by order of the governor or the person acting in his place. Any member of said force violating any of the rules or regulations for said force shall be subject to discipline or discharge in accordance with said rules and regulations. The commissioner may expend annually for the expenses of administration, organization, government, training, compensation, equipment and maintenance such amount as the general court may appropriate.

SECTION 2. Of the ninety additional appointments to the division of state police authorized by section one, not more than sixty shall be made during the current year.

Approved April 26, 1922.

AN ACT AUTHORIZING THE CONSTRUCTION AND MAINTENANCE OF A PRIVATE BRIDGE OVER NASKETUCKET RIVER IN FAIRHAVEN. *Chap. 332*

Be it enacted, etc., as follows:

Subject to the approval of the division of waterways and public lands of the department of public works as provided in chapter ninety-one of the General Laws, Henry C. Peirce of Fairhaven, and his heirs and assigns, are hereby authorized to construct and maintain a fixed bridge across Nasketucket river in the town of Fairhaven at a point about two hundred yards below the bridge or culvert of the New York, New Haven and Hartford Railroad Company over said river as a means of connecting different portions of his own land.

Construction and maintenance of a private bridge over Nasketucket river in Fairhaven.

Approved April 26, 1922.

AN ACT RELATIVE TO THE FIXING OF CERTAIN SALARIES AND FOR OTHER PURPOSES. *Chap. 333*

Be it enacted, etc., as follows:

SECTION 1. Section seventeen of chapter twelve of the General Laws, as amended by section three of chapter three hundred and four of the acts of the current year, is hereby further amended by striking out, in the third line, the word "treasurer" and inserting in place thereof the word: — auditor, — so as to read as follows: — *Section 17.* The salaries of district attorneys for the several districts, except Suffolk, shall, in January, nineteen hundred and twenty-two, and every five years thereafter, be adjusted by the state auditor, upon the basis of the annual average disposition of criminal cases in their respective districts for the five years preceding the first day of October immediately preceding, as determined by the returns of the clerks of courts made to the commissioner of correction under section eight of chapter one hundred and twenty-four, in accordance with the following schedule; and the salaries of the assistant and second assistant district attorneys in the several districts, except Suffolk, shall be sixty and forty-five per cent, respectively, of the salaries of their respective district attorneys, as so adjusted; all of said salaries shall be allowed from January first in the year of adjustment and be paid by the commonwealth.

G. L. 12, § 17, etc., amended.

Adjustment of salaries of district attorneys and assistant and second assistant district attorneys.

Schedule.

ANNUAL AVERAGE DISPOSITION OF CRIMINAL CASES IN THE DISTRICT DETERMINED AS AFORESAID FOR FIVE YEARS PRECEDING THE OCTOBER FIRST IMMEDIATELY PRECEDING THE DATE OF ADJUSTMENT.	Salary of District Attorney.
3,000 or more.	\$7,000
750 to 3,000	5,000
500 to 750	4,000
250 to 500	3,000
Less than 250	2,000

G. L. 70, § 7,
amended.

SECTION 2. Section seven of chapter seventy of the General Laws is hereby amended by striking out all after the word "shall" in the eighth line and inserting in place thereof the words: — certify to the state auditor the amount due each town, — so as to read as follows: — *Section 7.* Every superintendent of schools shall file with the commissioner of education, not later than August first in each year, a sworn statement, upon blanks prepared by the commissioner, containing the data necessary to determine the amounts payable under Part I of this chapter. Before filing such statement, the superintendent shall submit it to the chairman of the school committee, who shall countersign it on oath, if, after examination, he finds it correct. The commissioner shall cause such statements to be examined, and shall certify to the state auditor the amount due each town.

Reimbursement
of cities and
towns for cer-
tain school ex-
penses, returns
by superin-
tendents of
schools, etc.

Certification to
state auditor of
amount due.

G. L. 70, § 16,
amended.

SECTION 3. Section sixteen of said chapter seventy is hereby amended by striking out all after the word "shall" in the tenth line and inserting in place thereof the words: — certify to the state auditor the amount due each town, — so as to read as follows: — *Section 16.* Every superintendent of schools shall annually, not later than February first, file with the commissioner of education, upon blanks prepared by the commissioner, a sworn statement, containing data necessary to determine the amounts payable under Part II of this chapter. Failure to file the same by February fifteenth shall cause the town to forfeit its share of the income accrued during the preceding year. Before filing such statement, the superintendent shall submit it to the chairman of the school committee, who shall countersign it on oath, if, after examination, he finds it correct. The commissioner shall cause such statements to be examined, and shall certify to the state auditor the amount due each town.

Distribution of
income of
"Massachusetts
School Fund,"
returns by
superintendents
of schools, etc.

Certification to
state auditor of
amount due.

SECTION 4. Section thirty-six of chapter two hundred and seventeen of the General Laws is hereby amended by striking out, in the second line, the word "treasurer" and inserting in place thereof the word: — auditor, — so as to read as follows: — *Section 36.* In the year following each state and national census, the state auditor shall adjust the salaries provided for in the two preceding sections in accordance with said sections, on the basis of said census, and the salaries so adjusted shall be allowed from January first in the year of adjustment.

G. L. 217, § 36,
amended.

Adjustment of
salaries of
judges, registers
and assistant
registers of prob-
ate and insol-
vency.

Approved April 26, 1922.

AN ACT AUTHORIZING THE APPOINTMENT OF A TEMPORARY ASSISTANT TO THE DISTRICT ATTORNEY OF THE WESTERN DISTRICT.

Chap. 334

Be it enacted, etc., as follows:

Section eighteen of chapter twelve of the General Laws is hereby amended by striking out, in the fourth line, the word "and" and inserting in place thereof a comma, and also by inserting after the word "southeastern" in the same line the words: — and western, — so as to read as follows: — *Section 18.* If there is no assistant district attorney, the court may allow a reasonable sum, payable from the county treasury, for the services of a clerk to aid the district attorney; and in the northern, eastern, middle, southeastern and western districts, the court may appoint, for the sitting at which the appointment is made, a competent person to act as an assistant to the district attorney and his compensation, not exceeding six hundred dollars in one year, shall be paid from the county treasury.

G. L. 12, § 18,
amended.

Clerk or tem-
porary assistant
to certain dis-
trict attorneys,
appointment,
etc.

Approved April 26, 1922.

AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO BORROW MONEY FOR SCHOOL PURPOSES.

Chap. 335

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a school building and originally equipping and furnishing said building, the city of Pittsfield may, from time to time, borrow such sums as may be necessary, not exceeding in the aggregate one hundred and seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Pittsfield School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess

City of Pitts-
field may bor-
row money for
school purposes.

Pittsfield
School Loan,
Act of 1922.

of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1922.

Chap.336 AN ACT AUTHORIZING THE TOWN OF TOWNSEND TO INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES.

Be it enacted, etc., as follows:

Town of
Townsend may
borrow money
for schoolhouse
purposes.

SECTION 1. For the purpose of constructing and equipping a school building, the town of Townsend may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, sixty thousand dollars, of which amount thirty thousand dollars shall be outside the debt limit, and may issue bonds or notes therefor, which shall bear on their face the words, Townsend Schoolhouse Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Townsend
Schoolhouse
Loan, Act of
1922.

Certain vote
validated, etc.

SECTION 2. The vote passed by the town of Townsend at its meeting held March sixth, nineteen hundred and twenty-two, authorizing the borrowing of sixty thousand dollars for schoolhouse purposes, is hereby validated and confirmed, and the town may borrow for the said purposes in accordance with the said vote, notwithstanding that the total amount authorized is in excess of the amount which might be borrowed in accordance with general law.

SECTION 3. This act shall take effect upon its passage.

Approved April 27, 1922.

Chap.337 AN ACT PROVIDING FOR THE PAROLE OF INMATES OF STATE SCHOOLS FOR THE FEEBLE-MINDED.

Be it enacted, etc., as follows:

G. L. 123, new
section after
§ 88.

Parole of in-
mates of state
schools for the
feeble-minded.

Chapter one hundred and twenty-three of the General Laws is hereby amended by inserting after section eighty-eight the following new section: — *Section 88A.* The trustees of a state school for the feeble-minded may permit any inmate of the school to leave the institution on parole for such length of time and on such conditions as they may determine and may from time to time extend the period of such parole or change the conditions upon which it is granted. They shall

cause an investigation to be made prior to the granting of such parole as to the home into which such inmate is to go if paroled and other conditions and circumstances which may affect his welfare and behavior and shall provide such supervision of paroled inmates as they deem necessary for his welfare. They shall have such powers as to the revocation of the permit and as to the return of the inmate to whom it has been granted as are provided by law for the return of insane and feeble-minded persons to the institutions from which they have been temporarily released. No length of absence on parole under this section from a state school for the feeble-minded shall be construed as a discharge therefrom.

Approved April 27, 1922.

AN ACT RELATIVE TO THE INSPECTION OF FISH.

Chap. 338

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section eighty-one and inserting in place thereof the following:— *Section 81.* The state inspector of fish shall enforce sections seventy-four to eighty, inclusive, and may inspect all fish offered or exposed for sale or kept with intent to sell and for such purpose may enter any place where fish is stored, kept, offered or exposed for sale. If on inspection it is found that such fish is tainted, diseased, corrupted, decayed, unwholesome or unfit for food from any cause, the inspector or his deputy shall seize and cause the same to be destroyed forthwith or disposed of otherwise than for food. All money received by the inspector or his deputy for fish disposed of as aforesaid, after deducting the expense of said seizure and disposal, shall be paid to the owner of such fish. The director of the division of fisheries and game of the department of conservation shall from time to time make rules and regulations necessary for the enforcement of sections seventy-four to eighty, inclusive.

G. L. 94, § 81, amended.

Certain powers and duties of state inspector of fish.

Rules and regulations.

SECTION 2. Said chapter ninety-four is hereby amended by striking out section eighty-two and inserting in place thereof the following:— *Section 82.* Whoever violates any provision of sections seventy-four to eighty, inclusive, or prevents, obstructs or interferes with the state inspector of fish or his deputy in the performance of his duties under said sections, or hinders, obstructs or interferes with any inspection or examination by him or secretes or removes any fish for the purpose of preventing the inspection or examination

G. L. 94, § 82, amended.

Penalty for violation of laws relating to sale, inspection, etc., of fish.

of the same under the preceding section, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

Approved April 27, 1922.

Chap. 339 AN ACT RELATIVE TO THE ABATEMENT OF CERTAIN INCOME, INHERITANCE AND CORPORATION TAXES.

Be it enacted, etc., as follows:

G. L. 62, § 45,
amended.

SECTION 1. Section forty-five of chapter sixty-two of the General Laws is hereby amended by striking out, in the third line, the word "thirty" and inserting in place thereof the word: — ten, — by inserting after the word "shall" where it appears the first time in the ninth line the words: — , except as otherwise provided herein, — and by inserting at the end thereof the words: — Any taxes assessed under this chapter or corresponding provisions of earlier laws, which are unpaid and uncollectible, may be abated by the board of appeal on the recommendation of the attorney general and the commissioner at any time after the expiration of five years from the date when the same became payable, — so as to read as follows: — *Section 45.* Any person aggrieved by the refusal of the commissioner to abate, in whole or in part, under section forty-three, a tax assessed under this chapter, may appeal therefrom, within ten days after receiving notice of the decision of the commissioner, by filing a complaint with the clerk of the board of appeal from decisions of the commissioner. If, on hearing, said board finds that the person making the appeal was entitled to an abatement under section forty-three from the tax assessed on him, it shall make such abatement as it sees fit. The decision of the board of appeal shall, except as otherwise provided herein, be final and conclusive, and shall be communicated in writing to the petitioner and the commissioner within five days thereafter. Any taxes assessed under this chapter or corresponding provisions of earlier laws, which are unpaid and uncollectible, may be abated by the board of appeal on the recommendation of the attorney general and the commissioner at any time after the expiration of five years from the date when the same became payable.

Taxation of incomes, appeal from decision of commissioner of corporations and taxation as to abatements, etc.

Abatement of unpaid and uncollectible taxes.

G. L. 63, § 71,
etc., amended.

SECTION 2. Section seventy-one of chapter sixty-three of the General Laws, as amended by chapter one hundred and twenty-three of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "cor-

poration" in the fifteenth line the words: — under the provisions of this chapter or corresponding provisions of earlier laws, — so as to read as follows: — *Section 71.* Except as otherwise provided, any party aggrieved by any decision of the commissioner upon any matter arising under this chapter from which an appeal is given, may apply to the board of appeal from decisions of the commissioner within ten days after notice of his decision. Said board shall hear and decide the subject matter of such appeal, and give notice of its decision to the commissioner and the appellant; and its decision shall be final and conclusive as to questions of fact, although payments have been made as required by the decision appealed from. Any overpayment of tax determined by decision of said board of appeal shall be reimbursed by the commonwealth. Taxes, excises, costs or expenses of any kind assessed upon any corporation, company or association, except a municipal corporation, under the provisions of this chapter or corresponding provisions of earlier laws, which are unpaid and are uncollectible, may be abated by the board of appeal on the recommendation of the attorney general and commissioner at any time after the expiration of five years from the date when the same became payable.

Taxation of corporations, appeal from decisions of commissioner of corporations and taxation.

Overpayments to be reimbursed, etc.

Abatement of unpaid and uncollectible taxes, excises, etc.

SECTION 3. Section thirty-two of chapter sixty-five of the General Laws is hereby amended by adding at the end thereof the following: — Any taxes assessed under this chapter or corresponding provisions of earlier laws, which are unpaid and uncollectible, may be abated by the board of appeal on the recommendation of the attorney general and the commissioner at any time after the expiration of five years from the date when the same became payable, — so as to read as follows: — *Section 32.* The treasurer shall commence proceedings for the recovery of any of the taxes imposed by this chapter or by corresponding provisions of earlier laws within six months after the same become payable; and also whenever the judge of a probate court certifies to him that the final account of an executor, administrator or trustee has been filed in such court, and that the settlement of the estate is delayed because of the non-payment of said tax. The probate court shall so certify upon the application of any heir, legatee or other person interested therein. Whenever the circumstances of a case require, the probate court may extend the time for payment of said tax, with or without interest. Any taxes assessed under this chapter or corresponding provisions of earlier laws, which are unpaid and uncollectible, may be

G. L. 65, § 32, amended.

Taxation of legacies and successions, recovery of unpaid taxes by state treasurer.

Abatement of unpaid and uncollectible taxes.

abated by the board of appeal on the recommendation of the attorney general and the commissioner at any time after the expiration of five years from the date when the same became payable.

Approved April 27, 1922.

Chap. 340 AN ACT RELATIVE TO THE QUALIFICATIONS AND EXAMINATION OF APPLICANTS FOR REGISTRATION AS QUALIFIED PHYSICIANS.

Be it enacted, etc., as follows:

G. L. 112, § 2,
amended.

Examination
and registration
of physicians,
qualifications,
etc.

SECTION 1. Section two of chapter one hundred and twelve of the General Laws is hereby amended by inserting after the word "character" in the sixth line the words: — , that he possesses the educational qualifications required for graduation from a public high school, — so as to read as follows: — *Section 2.* Applications for registration as qualified physicians, signed and sworn to by the applicants, shall be made upon blanks furnished by the board of registration in medicine, herein and in sections three to twenty-three, inclusive, called the board. Each applicant, who shall furnish the board with satisfactory proof that he is twenty-one or over and of good moral character, that he possesses the educational qualifications required for graduation from a public high school, and that he has received the degree of doctor of medicine, or its equivalent, either from a legally chartered medical school having the power to confer degrees in medicine, which gives a full four years' course of instruction of not less than thirty-six weeks in each year, or from any legally chartered medical school having such power, if such applicant was, on March tenth, nineteen hundred and seventeen, a matriculant thereof, shall, upon payment of twenty-five dollars, be examined, and, if found qualified by the board, be registered as a qualified physician and entitled to a certificate in testimony thereof, signed by the chairman and secretary.

Re-examina-
tion privilege.

An applicant failing to pass an examination satisfactory to the board shall be entitled within one year thereafter to a re-examination at a meeting of the board called for the examination of applicants, upon payment of a further fee of three dollars; but two such re-examinations shall exhaust his privilege under his original application. The board, after hearing, may revoke any certificate issued by it and cancel the registration of any physician convicted of a felony; or, after hearing, may revoke any certificate issued by it and cancel for a period not exceeding one year, the registration of any physician, who has been shown at such hearing to have been

Revocation of
certificate of
registration,
etc.

guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession, or of the use of narcotic drugs in any way other than for therapeutic purposes; or of publishing or causing to be published, or of distributing or causing to be distributed, any literature contrary to section twenty-nine of chapter two hundred and seventy-two; or of acting as principal or assistant in the carrying on of the practice of medicine by an unregistered person or by any person convicted of the illegal practice of medicine or by any registered physician whose license has been revoked either permanently or temporarily; or of aiding or abetting in any attempt to secure registration, either for himself or for another, by fraud; or, in connection with his practice, of defrauding or attempting to defraud any person. The board may subsequently, but not earlier than one year thereafter, reissue any certificate formerly issued by it or issue a new certificate, and register anew any physician whose certificate was revoked and whose registration was cancelled.

Reissue of certificate of registration, etc.

SECTION 2. Said chapter one hundred and twelve, as amended in section three by chapter three hundred and thirteen and by section one of chapter four hundred and nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section three and inserting in place thereof the following: — *Section 3.* Examinations shall be in whole or in part in writing, in English, shall be of a scientific and practical character, shall include the subjects of anatomy, surgery, chemistry, biology, physics, physiology, pathology, obstetrics, gynæcology, psychiatry, practice of medicine and hygiene and shall be sufficiently thorough to test the applicants' fitness to practice medicine. The board may employ expert assistance in conducting hospital and laboratory tests.

G. L. 112, § 3, etc., amended.

Examinations for registration of physicians, character, scope, etc.

SECTION 3. The provisions of the preceding section requiring examinations of applicants for registration as qualified physicians on the subject of psychiatry shall not take effect until July first, nineteen hundred and twenty-three.

Time of taking effect of certain provisions of preceding section.

SECTION 4. Nothing in this act shall apply to any applicant for registration as aforesaid, who at the time of the passage hereof is a student in a legally chartered medical school as described in section two of said chapter one hundred and twelve, but as to such applicant the provisions of said chapter one hundred and twelve in force prior to the passage of this act shall continue to apply.

Not applicable to certain applicants for registration.

Approved April 27, 1922.

Chap. 341 AN ACT RELATIVE TO RETIREMENT ALLOWANCES OF STATE EMPLOYEES RECEIVING PART OF THEIR COMPENSATION IN BOARDING AND HOUSING AND RELATIVE TO THE RETIREMENT OF HUSBANDS AND WIVES IN THE STATE SERVICE.

Be it enacted, etc., as follows:

G. L. 32, § 1,
amended.

SECTION 1. Section one of chapter thirty-two of the General Laws is hereby amended by striking out in the seventh line the words "permanent and regular employees" and inserting in place thereof the words: — persons permanently and regularly employed, — and by inserting after the word "pensions" in the sixteenth line the following new paragraph: — "Salary or wages", cash received for regular services together with such allowance for other compensation not paid in cash as may be hereinafter provided, — so as to read as follows: — *Section 1.* In sections one to five, inclusive, unless the context otherwise requires, the following words shall have the following meanings:

State retirement
system.
Definitions.

"Annuities".

"Annuities", the payments for life derived from contributions of members;

"Association".

"Association", the retirement association provided by section two;

"Board".

"Board", the board of retirement specified in section three;

"Employees".

"Employees", persons permanently and regularly employed in the direct service of the commonwealth or in the service of the metropolitan district commission, whose sole or principal employment is in such service;

"Pensions".

"Pensions", the payments for life, derived from money contributed by the commonwealth;

"Regular interest".

"Regular interest", interest at three per cent per annum, compounded semi-annually on the last days of December and June, and reckoned for full three and six months' periods only;

"Retirement
system" or
"system".

"Retirement system" or "system", the arrangements provided for the payment of annuities and pensions;

"Salary or
wages".

"Salary or wages", cash received for regular services together with such allowance for other compensation not paid in cash as may be hereinafter provided;

"Continuous
service".

The words "continuous service" shall mean uninterrupted employment, but a lay-off on account of illness or reduction of force, and a leave of absence, suspension or dismissal, followed by reinstatement within two years shall not be considered as breaking the continuity of service; provided, that

Proviso.

in the case of employees engaged in the military or naval service of the United States or of nations associated with the United States in the world war such reinstatement may occur at any time within two years after discharge from such service or release from active duty therein. As to appointees of the sergeant-at-arms the interval between sessions of the general court shall not be considered as breaking the continuity of service. Engineers and inspectors in the intermittent service of the commonwealth shall not lose the benefit of continuity of service in the intervals between employments, and for the purpose of computation, cumulative credit shall be given them for all periods of employment in the service of the commonwealth as shown by the records of the division of civil service.

In the case of employees of any department or institution formerly administered by a city, county or corporation, and later taken over by the commonwealth, service rendered prior to such transfer shall be counted as a part of a continuous service.

Employees of certain departments or institutions taken over by commonwealth, etc.

In the case of employees who before entering the service of the commonwealth had been regularly employed as teachers in public schools, as defined by section six, all periods of such employment rendered prior to July first, nineteen hundred and fourteen, shall be counted as a part of a continuous service; provided, that this paragraph shall not apply to employees entering the service of the commonwealth after July first, nineteen hundred and fourteen, who are not members of the teachers' retirement association mentioned in section seven.

Employees previously employed as teachers in public schools, etc.

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Any member of the association who shall have withdrawn from the service of the commonwealth or metropolitan district after June first, nineteen hundred and twelve, on being re-employed in such service within two years, may be reinstated in said association in accordance with such rules for reinstatement as the board shall adopt, and when so reinstated the period of such withdrawal shall not operate to break the continuity of service, but shall not be counted as service. All periods of active service for the commonwealth or metropolitan district rendered prior to June first, nineteen hundred and twelve, by members of the association shall be a part of their continuous service, and for the purpose of computing the accumulation for the pension for such service, regular interest as defined in this section shall be allowed for all periods that are to be counted as service.

Reinstatement of certain persons upon re-employment in state service, etc.

G. L. 32, § 3, par. (4), amended.

SECTION 2. Section three of said chapter thirty-two is hereby amended by inserting after the word "limits" in the fourteenth line the following: — It shall add to the cash payment for regular services, in cases where an employee of a state institution receives a non-cash allowance to cover compensation in the form of full or complete boarding and housing in accordance with the practice in such state institution, an amount at the rate of five dollars per week, which amount added to said cash payment shall be the basis upon which annuity contributions shall be made; and the foregoing provision shall also apply in computing pensions based upon prior service, — so that paragraph (4) will read as follows: —

Determination of percentage of wages or salary that employees shall contribute, etc.

(4) It shall determine the percentage of wages or salary that employees shall contribute to the fund, subject to the minimum and maximum percentages, and may classify employees for the purposes of the system and establish different rates of contribution for different classes within the prescribed limits.

Employees receiving part of compensation in boarding and housing.

It shall add to the cash payment for regular services, in cases where an employee of a state institution receives a non-cash allowance to cover compensation in the form of full or complete boarding and housing in accordance with the practice in such state institution, an amount at the rate of five dollars per week, which amount added to said cash payment shall be the basis upon which annuity contributions shall be made; and the foregoing provision shall also apply in computing pensions based upon prior service.

G. L. 32, § 5 (b), amended.

SECTION 3. Section five of said chapter thirty-two is hereby amended by striking out the paragraph included within lines seventy-eight to eighty-three, both inclusive, and inserting in place thereof the following new paragraph:

Retirement of husband and wife in state service.

— Where members of the association are husband and wife, if one of the two retires or is retired the other may, irrespective of age and service, on the date of such retirement, be retired by the board, and if so retired, shall be paid at the attained age the retiring allowances provided under paragraphs (2) *B* and *C* of this section; provided, that the minimum allowance provided under (2) *E* of this section shall not apply to a member whose retirement allowance is granted under authority of this paragraph.

Proviso.

G. L. 32, § 5, par. (2) *E*, amended.

SECTION 4. Said section five is hereby further amended by inserting before the word "In" in the one hundred and eighteenth line the words: — Except as otherwise provided, — so that paragraph (2) *E* will read as follows: —

E. Minimum and Maximum Payments. — Except as otherwise provided, in no case shall a member be retired at a rate less than three hundred dollars per year, or at a rate more than one half the average annual rate of his salary or wages during the five years prior to retirement.

Minimum and maximum payments upon retirement.

Approved April 27, 1922.

AN ACT RELATIVE TO NUMBER PLATES ON MOTOR VEHICLES AND REQUIRING THAT THE REAR LAMPS THEREON BE APPROVED BY THE REGISTRAR OF MOTOR VEHICLES. Chap. 342

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter ninety of the General Laws is hereby amended by striking out, in the seventh, eighth and ninth lines, the words "The bottom of each number plate shall be horizontal, and not less than eight nor more than forty-eight inches from the ground.", so as to read as follows: — *Section 6.* Every motor vehicle or trailer operated in or on any way in this commonwealth shall have its register number displayed conspicuously thereon on the two number plates furnished by the registrar, in accordance with sections two, three, four and five, one number plate to be attached at the front and the other at the rear of said vehicle, so that the said number plates and the register number thereon shall be always plainly visible. The said number plates shall be kept clean and the numbers legible, and during the period when the vehicle is required to display lights the rear register number shall be illuminated so as to be plainly visible at a distance of sixty feet. No number plates other than such as are procured from the registrar or such as may be authorized by him for temporary use, except as provided in section three, shall be displayed on any motor vehicle or trailer so operated; provided, that a motor vehicle or trailer which is commonly operated in this commonwealth and in an adjoining state may display the register number plates of both states whenever the motor vehicle or trailer is required by law or lawful regulation to be registered in this commonwealth and also in the adjoining state, if the number plates are displayed as required by law. If any number plate supplied by the registrar is lost or mutilated or if the register number thereon becomes illegible, the owner or person in control of the vehicle for which said number plate was furnished shall make application for a new number plate, and

G. L. 90, § 6, amended.

Number plates on motor vehicles, etc.

No other number plates to be displayed, etc.

Proviso.

Issue of number plates to replace those lost or mutilated.

Proviso.

thereupon the registrar shall issue to such applicant a permit allowing him to place a temporary number plate bearing his register number upon said vehicle until a number plate of the regular design is made and delivered to said applicant; provided, that all such temporary number plates and the register numbers thereon shall conform to the regular number plates and be displayed as nearly as may be as herein provided for said regular number plates.

G. L. 90, § 7,
etc., amended.

SECTION 2. Section seven of said chapter ninety, as amended by chapters one hundred and eighty-nine, four hundred and thirty-four and four hundred and eighty-three of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in lines forty to forty-three, inclusive, the words "Application for such approval accompanied by a fee of fifty dollars may be made to the registrar by any manufacturer of or dealer in such a lens or device.", and inserting in place thereof the following: — No rear lamp shall be used upon any motor vehicle so operated unless approved by the registrar. Application for the approval of a lens, or other device, or of a rear lamp, accompanied by a fee of fifty dollars, may be made to the registrar by any manufacturer thereof or dealer therein, — so as to read as follows:

Motor vehicles.
Brakes and
other equip-
ment.

— *Section 7.* Every motor vehicle of more than ten horse power operated in or on any way shall be provided with at least two brakes, powerful in action and separated from each other, of which one brake shall act directly on the driving wheels or on parts of the mechanism which are firmly connected with said wheels. Each of the two brakes shall suffice alone to stop the motor vehicle within a proper distance. One of the two brakes shall be so arranged as to be operated with the foot. Every automobile of not more than ten horse power and every motor cycle shall be provided with at least one brake. Every motor vehicle so operated shall be provided with a muffler or other suitable device to prevent unnecessary noise and with a suitable bell, horn or other means of signaling, and with suitable lamps; and automobiles shall be provided with a lock, a ratchet brake which can be set, a key or other device to prevent such vehicle from being set in motion by unauthorized persons, or otherwise, contrary to the will of the owner or person in charge thereof. Every automobile operated during the period from one half an hour after sunset to one half an hour before sunrise shall display at least two white lights, or lights of yellow or amber tint, and every motor cycle so operated at least one white light, or light of

Lights.

yellow or amber tint, and every such motor cycle with a side-car attached, in addition, one such light on the front of the side-car, and every motor truck, trailer and commercial motor vehicle used solely as such, having a carrying capacity of three tons or over, in addition, a green light attached to the extreme left of the front of such vehicle, so attached and adjusted as to indicate the extreme left lateral extension of the vehicle or load, which shall be visible not less than two hundred feet in the direction toward which the vehicle is proceeding; and every such motor vehicle shall display at least one red light in the reverse direction. Every automobile so operated shall have a rear light so placed as to show a red light from behind and a white light so arranged as to illuminate and not obscure the rear register number. No headlamp shall be used upon any motor vehicle so operated unless such lamp is equipped with a lens or other device, approved by the registrar, designed to prevent glaring rays. No rear lamp shall be used upon any motor vehicle so operated unless approved by the registrar. Application for the approval of a lens, or other device, or of a rear lamp, accompanied by a fee of fifty dollars, may be made to the registrar by any manufacturer thereof or dealer therein. Every automobile used for the carriage of passengers for hire, and every commercial motor vehicle or motor truck, so constructed, equipped or loaded that the person operating the same is prevented from having a constantly free and unobstructed view of the highway immediately in the rear, shall have attached to the vehicle a mirror or reflector so placed and adjusted as to afford the operator a clear, reflected view of the highway in the rear of the vehicle.

Headlamp lenses, etc., and rear lamps, approval by registrar, etc.

Mirrors or reflectors.

Approved April 27, 1922.

AN ACT EXTENDING THE TERM OF SERVICE OF THE SPECIAL COMMISSION ON THE NECESSARIES OF LIFE. Chap. 343

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. The term of service of the special commission on the necessities of life appointed under chapter three hundred and twenty-five of the acts of nineteen hundred and twenty-one is hereby extended until May first, nineteen hun-

Special commission on the necessities of life, term of service extended, powers, duties, etc.

Proviso.

dred and twenty-three, and during the term hereby extended the commission shall have all the powers and duties granted by the said chapter; provided that the governor, with the advice and consent of the council, may, at any time during said period of extended service, change the personnel of said commission, in whole or in part.

Residue of certain appropriations made available, etc.

SECTION 2. The residue of the unexpended balances of the appropriations, referred to in section three of said chapter three hundred and twenty-five, are hereby made available for the use of the commission, and the commission from such residue and from such additional appropriation as may be made by the general court may expend such sums as shall be approved by the governor and council. The commission shall make a report to the general court not later than the second Wednesday of January, nineteen hundred and twenty-three.

Approved April 29, 1922.

Report to general court.

Chap. 344 AN ACT RELATIVE TO THE USE OF ARMORIES FOR PUBLIC PURPOSES.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose to make state armories available for certain public uses without unnecessary delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 33, § 52, subsect. (a), amended.

Section fifty-two of chapter thirty-three of the General Laws is hereby amended by striking out, in the ninth line, the words "armory commissioners subject to" and inserting in place thereof the words: — adjutant general with, — by striking out, in the tenth line, the words "be at least" and inserting in place thereof the words: — not exceed a sum, — by striking out, in the eleventh line, the words ", guarding and cleaning" and inserting in place thereof the words: — and guarding, — by striking out all after the word "paid" in the twelfth line down to and including the word "forwarded" in the fifteenth line, — by inserting after the word "war" in the twenty-first line the words: — , or their auxiliaries, — and by striking out, in the twenty-first and twenty-second lines, the words "or an occupational organization", so that sub-section (a) will read as follows: — (a) Armories provided for the militia shall be used only by the volunteer militia for the military purposes or purposes incidental

Use of armories limited.

thereto designated by the commander-in-chief; provided, that the commander-in-chief, upon terms and conditions prescribed by him and upon an application approved by the military custodian of an armory, may allow the temporary use of such armory for public purposes at such times and in such manner as not to interfere with the military use thereof. The compensation for every such temporary use shall be fixed by the adjutant general with the approval of the commander-in-chief, and shall, except as is otherwise provided herein, not exceed a sum sufficient to cover all expenses of lighting, heating and guarding the armory, and similar expenses, and shall be paid to the adjutant general who shall pay the same to the commonwealth.

Proviso.

Temporary use for public purposes, etc.

As used in this section the words "public purposes" shall include:

Words "public purposes" to include, etc.

A public meeting or hearing held by a state department or commission.

An examination conducted by the division of civil service.

A meeting of an organization composed of veterans of the civil, Spanish or world war, or their auxiliaries, a board of trade, a chamber of commerce, or a meeting to raise funds for any non-sectarian charitable or non-sectarian educational purpose.

A meeting to raise funds for a benefit association of policemen or firemen.

Elections, primaries or caucuses, and town meetings.

Meetings of such military organizations of scholars in the public schools of a town as may be approved by the school committee thereof.

Approved April 29, 1922.

AN ACT PROVIDING FOR THE SUBMISSION OF CERTAIN VOTES AND MOTIONS FOR REFERENDUM IN THE TOWN OF IPSWICH. *Chap. 345*

Be it enacted, etc., as follows:

SECTION 1. At all town meetings and adjournments thereof, held in the town of Ipswich, except that part of the annual meeting held for the election of town officers, officers, to be appointed for the purpose by the selectmen and to be known as official tellers, shall attend at the entrance or entrances to the place of meeting and shall permit only voters of the town to enter. Such officers shall determine by the use of check lists, or by other means approved by the selectmen, the number of voters admitted to each meeting. The

Town of Ipswich, official tellers at town meetings, appointment, duties, etc.

official tellers shall forthwith make return in writing to the town clerk under oath, which may be administered by the town clerk, of the number of voters admitted to each meeting and shall file with their return any check list used by them.

Submission of certain votes and motions for referendum.

Time of taking effect of votes subject to referendum.

Provisions of act not applicable to certain votes and motions.

Petition for referendum.

Examination and certification by town clerk.

Selectmen to call special town meeting, etc.

Vote to be taken by ballot, etc.

What votes and motions to be acted upon, etc.

SECTION 2. Except as otherwise provided herein, any vote passed or motion rejected at any original or adjourned town meeting attended by seven hundred or more voters according to the official tellers' return as filed under the preceding section, shall, upon a petition filed under section three, be submitted to the voters for ratification or determination by official ballot at a subsequent town meeting called in the manner prescribed in said section three. No vote subject to ratification or determination shall take effect until the expiration of five days after the final adjournment or dissolution of the meeting at which it was passed, nor, if a petition for ratification has been filed, until such vote shall be ratified in the manner hereinafter provided. The provisions of this act shall not apply to votes for moderator or for any other town officer, to matters required by law to be voted upon by official ballot, to votes to incur debt for extreme emergency appropriations under the provisions of section seven of chapter forty-four of the General Laws, or to such parliamentary or other votes or motions as may be hereafter designated by by-law.

SECTION 3. If within five days after the final adjournment or dissolution of any town meeting, a petition addressed to the selectmen shall be filed with the town clerk, signed by at least one hundred registered voters, requesting that any vote passed or motion rejected at such meeting which is subject to ratification or determination be submitted to the voters of the town for ratification or determination by official ballot, then the town clerk shall forthwith examine said petition, and if it is correct shall so certify thereon and transmit the same forthwith to the selectmen, who shall thereupon call a special town meeting for the sole purpose, except as provided in this section, of submitting such vote or motion for ratification or determination by the voters at large. At such special meeting so called a vote shall be taken by official ballot and by use of the check list upon the question: "Shall the following (vote passed) (motion rejected) at the town meeting held on the day of nineteen hundred and be (ratified) (passed)?"

All other votes passed and motions rejected at the same town meeting, petitions for the ratification or determination of

which have been transmitted to the selectmen in accordance with this section, shall be acted upon as herein provided at such special meeting. Any vote or motion submitted as aforesaid, if a majority of the votes cast thereon are in the affirmative in answer to question so submitted, shall be considered to be ratified or passed; otherwise such vote or motion shall have no force or effect; provided, that if any vote or motion required for its original passage more than a majority of the votes cast at any town meeting, then a like proportion of votes at such special town meeting shall be required for ratification or passage.

Votes or motions receiving majority of votes cast considered ratified, etc.

Proviso.

SECTION 4. The selectmen shall prepare ballots to be used at such special meeting and the conduct of such meeting and the time of opening and closing the polls shall be subject to their direction but in accordance with such by-laws as the town may adopt. In case two or more votes passed at a town meeting relate to one subject-matter, and a petition is filed as aforesaid for the ratification of one or more such votes, the selectmen may in their discretion submit, in addition to those for which petitions are filed, any or all of the votes relating to the same subject-matter; and for this purpose a vote to borrow money shall be held to relate to the same subject-matter as the vote or votes to appropriate the money to be borrowed.

Selectmen to prepare ballots, direct conduct of special meetings, etc.

Referendum in case of two or more votes passed relating to one subject-matter.

SECTION 5. The town clerk shall make a record of the official tellers' returns of the number of voters admitted to each meeting in the records of the meeting and shall preserve such returns and all check lists filed as aforesaid until at least twenty days after the final adjournment or dissolution of the town meeting to which they relate or at which they were used and they shall be open to public inspection. The town clerk shall also make copies of all petitions, filed as aforesaid, exclusive of the names affixed thereto, in the records of the meeting for ratification or determination to which they relate, and shall preserve such copies for public inspection until at least twenty days after the dissolution of the meeting for ratification or determination. All records made as aforesaid by the town clerk shall have the same legal force and effect as other records of proceedings at town meetings.

Town clerk to record official tellers' returns, to make and preserve copies of petitions, etc.

SECTION 6. This act shall be submitted to the voters of the town of Ipswich for their acceptance at the next annual meeting in the form of the following question, which shall be placed upon the official ballot used for the election of town officers: "Shall an act passed by the general court in the year

To be submitted to voters, etc.

nineteen hundred and twenty-two, entitled 'An Act providing for the submission of certain votes and motions for referendum in the town of Ipswich' be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to such question, thereupon said act shall take effect in such town, but not otherwise.

Time of taking effect.

SECTION 7. So much of this act as authorizes its submission to the voters of said town for their acceptance shall take effect upon its passage. *Approved May 1, 1922.*

Chap. 346 AN ACT AUTHORIZING THE CITY OF BROCKTON TO INCUR INDEBTEDNESS FOR THE CONSTRUCTION OF A HIGHWAY FROM CENTRE STREET TO WARREN AVENUE AND FROM CITY HALL SQUARE TO CRESCENT STREET.

Be it enacted, etc., as follows:

City of Brockton may borrow money for construction of certain highways.

SECTION 1. For the purpose of laying out a highway extending westerly from Centre street to Warren avenue, the city of Brockton may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, four hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Centre Street Extension Loan, Act of 1922. Each authorized issue shall constitute a separate loan. For the purpose of laying out a highway extending southerly from City Hall square to Crescent street, the city of Brockton may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, fifty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City Hall Square Extension Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws. Receipts from betterment assessments levied on account of the Centre street and City Hall square extensions herein authorized shall be applied to the payment of loans issued under authority of this act and interest as it accrues on said loans.

Centre Street Extension Loan, Act of 1922.

City Hall Square Extension Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1922.

AN ACT INCREASING THE RATES OF LEGACY AND SUCCESSION TAXES IN CERTAIN INSTANCES. *Chap. 347*

Whereas, The deferred operation of this act would cause substantial inconvenience and loss to the commonwealth, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section one of chapter sixty-five of the General Laws is hereby amended by striking out the table in said section, and inserting in place thereof the following table: —

G. L. 65, § 1, amended.

RELATIONSHIP OF BENEFICIARY TO DECEASED.	RATE PER CENTUM OF TAX ON VALUE OF PROPERTY OR INTEREST.							
	On Value not over \$10,000.	On Excess above \$10,000, not over \$25,000.	On Excess above \$25,000, not over \$50,000.	On Excess above \$50,000, not over \$250,000.	On Excess above \$250,000, not over \$500,000.	On Excess above \$500,000, not over \$750,000.	On Excess above \$750,000, not over \$1,000,000.	On Excess above \$1,000,000.
CLASS A. Husband, wife, father, mother; child, adopted child, adoptive parent, grandchild, . . .	1%	1%	2%	4%	5%	5½%	6%	7%
CLASS B. Lineal ancestor, except father or mother; lineal descendant, except child or grandchild; lineal descendant of adopted child; lineal ancestor of adoptive parent; wife or widow of a son; husband of a daughter, . . .	1%	2%	4%	5%	6%	7%	8%	9%
CLASS C. Brother, sister, half brother, half sister, nephew, niece, step-child or step-parent, . . .	3%	5%	7%	8%	9%	10%	11%	12%
CLASS D. All others, . . .	5%	6%	7%	8%	9%	10%	11%	12%

Table of rates of legacy and succession taxes.

Approved May 2, 1922.

*Chap.*348 AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO MAKE
AN ADDITIONAL LOAN FOR STREET GRADING AND PAV-
ING.

Be it enacted, etc., as follows:

City of Pitts-
field may make
an additional
loan for street
grading and
paving.

SECTION 1. For the purpose of carrying out the provisions of chapter two hundred and fifty-three of the Special Acts of nineteen hundred and sixteen, as amended by chapter three hundred and forty-three of said Special Acts, the city of Pittsfield may borrow, in excess of the statutory limit of indebtedness, in addition to all sums previously authorized, the further sum of two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Pittsfield Paving Loan, Act of 1922, and shall be issued subject to the provisions of said chapter two hundred and fifty-three, as amended, except that the rate of interest shall be fixed in accordance with section twenty-two of chapter forty-four of the General Laws. Receipts from betterment assessments levied under said chapter two hundred and fifty-three shall be applied to the payment of loans issued under authority of said chapter two hundred and fifty-three amended as aforesaid, chapter one hundred of the acts of nineteen hundred and twenty-one or of this act and the interest accruing on any of said loans.

Pittsfield Pav-
ing Loan, Act
of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1922.

*Chap.*349 AN ACT RELATIVE TO THE IMPROVEMENT OF LOW LANDS
AND SWAMPS.

Emergency pre-
amble.

Whereas, It is important and for the interest of the commonwealth that prompt action should be taken in respect to the method of formation of drainage districts and their powers, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 252, § 1,
amended.

SECTION 1. Section one of chapter two hundred and fifty-two of the General Laws is hereby amended by striking out, in the fourth line, the word "thirteen" and inserting in place thereof the word: — fourteen, — so as to read as follows: — *Section 1.* If it is necessary or useful to drain or

Improvement of
low land, etc.

flow a meadow, swamp, marsh, beach or other low land held by several proprietors, or remove obstructions in rivers or streams leading therefrom, such improvements may be made as provided in the fourteen following sections.

SECTION 2. Section two of said chapter two hundred and fifty-two is hereby amended by striking out, in the third line, the word "twelve" and inserting in place thereof the word: — thirteen, — so as to read as follows: — *Section 2.* One member of the department of public health designated by it, and one member of the department of agriculture designated by it, shall constitute the drainage board, in the thirteen following sections called the board. Members thereof shall receive no additional compensation.

G. L. 252, § 2,
amended.

Drainage
board, member-
ship.

No additional
compensation.

SECTION 3. Section four of said chapter two hundred and fifty-two is hereby amended by inserting after the word "fourteen" in the first line the letter: — A, — and by striking out, in the second and third lines, the words "shall seek the co-operation and assistance of the United States department of agriculture, and", so as to read as follows: — *Section 4.* In carrying out the provisions of sections one to fourteen A, inclusive, the board may employ necessary engineers, assistants or other agents, who may enter on land which the board desires to survey or examine.

G. L. 252, § 4,
amended.

Employment of
engineers, etc.,
for survey, etc.

SECTION 4. Section five of said chapter two hundred and fifty-two is hereby amended by striking out, in the fourth and fifth lines, the words "with a description of the proposed starting point, routes and termini of the work" and inserting in place thereof the words: — the objects to be accomplished, — by striking out all after the word "lands", in the seventh line down to and including the word "important" in the eleventh line, — by inserting after the word "and" in the twenty-second line the words: — , after notice by publication in a newspaper published in the county where the greater part of the land lies and further notice to each known proprietor by registered mail and a hearing, — by inserting after the word "cause" in the twenty-ninth line the words: — and the board may fill vacancies. Said commissioners may be retired by the board when the objects for which they were appointed have been accomplished, — and by striking out in the same line, the word "nine" and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 5.* The proprietors, or a majority in interest either in value or area, may petition the board setting forth their desire to form a drainage district as provided in the following

G. L. 252, § 5,
amended.

Petition to
drainage board
for formation
of drainage dis-
trict, etc.

Surveys of land
to be drained,
etc.

Recommendations
as to expense,
etc.

Notice by publication,
etc.

District drainage
commissioners,
appointment,
removal, etc.

Mortgagor or
mortgagee in
possession to be
deemed a proprietor.

G. L. 252, § 6,
amended.

Formation of
drainage district.

section, stating the proposed name of said district, the necessity for the same, the objects to be accomplished, and a general description of the lands proposed to be affected, together with the names of known owners of said lands. Upon the receipt of said petition the board shall proceed, at the expense of the commonwealth, to make such surveys of the land proposed to be drained as it shall deem necessary, and shall further ascertain by such surveys or other investigations the need of any drainage required for the benefit of the public health, agricultural and other uses to which the land can be put after drainage, and its value for such uses after drainage, and in general the advisability of undertaking the proposed drainage or maintenance, and shall make recommendations in relation thereto, including a statement of what portion, if any, of the expense should be borne by the commonwealth on account of the cost of that part of the improvement relating to the public health; and, after notice by publication in a newspaper published in the county where the greater part of the land lies and further notice to each known proprietor by registered mail and a hearing, if the board approves of the undertaking, it shall issue a certificate appointing three, five or seven district drainage commissioners, who shall be sworn to the faithful performance of their duties, and fix their compensation, which shall not exceed five dollars a day, while in conference, and their necessary traveling expenses while performing their duties, and authorize said commissioners to form a drainage district under the following section. Any such commissioner may be removed by the board for cause and the board may fill vacancies. Said commissioners may be retired by the board when the objects for which they were appointed have been accomplished. For the purposes of this and the ten following sections, a mortgagor or mortgagee in possession shall be deemed a proprietor.

SECTION 5. Section six of said chapter two hundred and fifty-two is hereby amended by striking out, in the first line, the word "eight" and inserting in place thereof the word: — nine, — by striking out, in the sixth line, the words "sections four, eight and nine of", and by adding at the end thereof the following: — Such district shall, except as otherwise herein provided, be subject to said chapter one hundred and fifty-eight so far as applicable. Such district need have no capital stock. The members of such district shall be the proprietors from time to time. The board shall have general supervision of such district, — so as to read as follows: — *Section 6.* The

district drainage commissioners, in the nine following sections called the commissioners, after being sworn, shall call a meeting of the proprietors of the land to be improved by giving, in such manner as the board may order, a notice to each known proprietor, signed by the commissioners and setting forth the time and place of the meeting and the purpose of organizing under chapter one hundred and fifty-eight a drainage district to carry out the proposed improvements and maintenance. Such district shall, except as otherwise herein provided, be subject to said chapter one hundred and fifty-eight so far as applicable. Such district need have no capital stock. The members of such district shall be the proprietors from time to time. The board shall have general supervision of such district.

Subject to certain laws.

Need have no capital stock, etc.

SECTION 6. Section seven of said chapter two hundred and fifty-two is hereby amended by striking out, in the twelfth line, the word "registered", so as to read as follows:

G. L. 252, § 7, amended.

— *Section 7.* The commissioners, after the certificate of organization of such district has been issued by the state secretary, shall petition the county commissioners of the county where the greater part of the land lies, annexing a certified copy of the petition under section five and of the determination of the board thereon, and shall request the county commissioners to vote to pay in the first instance the total expense involved in making the improvements found by the board to be for the general advantage of the proprietors, except that part of the expense determined by the board to be for the public health which shall be paid by the commonwealth, and the said county commissioners may so vote. To defray any expense incurred by said county commissioners under such vote, the county may issue bonds to an amount not exceeding such expense, payable in not more than twenty years from their date of issue and bearing interest at a rate to be fixed by the county treasurer with the approval of the county commissioners, payable semi-annually on the first days of January and July.

Petition to county commissioners to bear expense in first instance.

Counties may issue bonds, etc.

SECTION 7. Section eight of said chapter two hundred and fifty-two is hereby amended by striking out, in the ninth line, the words " , or acquire by purchase or otherwise, and hold", — by inserting after the word "district" in the tenth line the words: — and may purchase and convey real and personal property both within and beyond the limits of the commonwealth, — and by adding at the end thereof the following: — , and such damages shall constitute a part of

G. L. 252, § 8, amended.

District drainage commissioners, powers and duties.

May take lands, easements, etc.

Recovery of damages.

G. L. 252, § 9, amended.

No prescriptive right to additional water supply or water power, etc.

No water power to be developed, except, etc.

G. L. 252, § 11, amended.

Payment of expenses by county after approval of estimates, etc.

the total expense of the improvement, — so as to read as follows: — *Section 8.* If the seven preceding sections have been complied with and the county commissioners of the county where the greater part of the land lies have voted to pay in the first instance the total expense of the proposed improvement, except such as is to be borne by the commonwealth, the district drainage commissioners shall carry out the improvement in a manner approved by the board and for that purpose may employ suitable persons to perform the work under their direction. They may take in the manner provided by chapter seventy-nine on behalf of the drainage district all lands, easements and rights in land within the drainage district and may purchase and convey real and personal property both within and beyond the limits of the commonwealth, necessary to effect the improvement, as approved by the board. Any person damaged in his property by any such taking may recover his damages in the manner provided by said chapter from the county where the greater part of the land improved lies, and such damages shall constitute a part of the total expense of the improvement.

SECTION 8. Section nine of said chapter two hundred and fifty-two is hereby amended by inserting after the word “fourteen” in the second line the letter: — A, — and by adding at the end thereof the words: — No water power may be developed in a drainage district organized under this chapter except by vote of the district and approval by the board, — so as to read as follows: — *Section 9.* No person obtaining an additional water power or water supply by the doing of any work contemplated by sections one to fourteen A, inclusive, shall gain a prescriptive right to the use thereof, nor be entitled to any compensation for the taking thereof under said sections by the removal of any dam or flashboards or by the changing of the height or dimensions of any dam. No water power may be developed in a drainage district organized under this chapter except by vote of the district and approval by the board.

SECTION 9. Said chapter two hundred and fifty-two is hereby further amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* After the county commissioners of the county where the greater part of the land lies have voted to pay in the first instance the expense of the improvement as provided in section seven, the commissioners shall submit to said county commissioners monthly an estimate of the amount needed for expenditures

to the end of the next calendar month, and after approval of such estimate by the county commissioners, may draw on the county treasurer at proper intervals for sums not exceeding such amount. The commissioners shall make returns to said county commissioners monthly of their doings and expenditures under sections one to fourteen A, inclusive.

Monthly re-
turns.

SECTION 10. Said chapter two hundred and fifty-two is hereby further amended by inserting after section fourteen the following new section: — *Section 14A.* A drainage district organized under this chapter may from time to time at a legal meeting called for the purpose assess upon its members such sums as may be necessary for further improvements and for maintenance in the same manner as betterments are assessed under chapter eighty, and the provisions of said chapter relative to the apportionment, division, reassessment, abatement and collection of assessments for betterments, and to interest, shall apply to assessments made under this section.

G. L. 252, new
section after
§ 14.

Drainage dis-
tricts may as-
sess members,
etc.

Approved May 2, 1922.

AN ACT AUTHORIZING THE TOWN OF BEDFORD TO INCUR *Chap.350*
INDEBTEDNESS FOR THE PURPOSE OF EXTENDING ITS
WATER SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of making necessary changes in and extensions of its present water system, the town of Bedford may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, fifteen thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Bedford Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Bed-
ford may bor-
row money to
extend its water
system.

Bedford Water
Loan, Act of
1922.

SECTION 2. Said town shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act

Payment of
loan.

shall, without further vote, be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred hereunder is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1922.

Chap.351 AN ACT TO PROVIDE FOR A JOINT INQUIRY BY THIS COMMONWEALTH AND ADJOINING STATES RELATIVE TO THE WORKINGS OF DAYLIGHT SAVING, SO-CALLED.

Emergency
preamble.

Whereas, The deferred operation of this act would be inconsistent with its purpose to secure without delay harmonious co-operation between this commonwealth and neighboring states in the matter of daylight saving, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Joint inquiry
by common-
wealth and ad-
joining states
relative to work-
ings of daylight
saving, so-called.

SECTION 1. The governor of the commonwealth is hereby requested to confer with the governors of the New England states and of the state of New York with a view to instituting a joint inquiry by authorized representatives of said states and of this commonwealth into the workings of the scheme of daylight saving, so-called, and to securing harmonious action on the part of said states and this commonwealth in relation thereto.

Governor may
appoint dele-
gates, etc.

SECTION 2. In the event that the governor deems it advisable to appoint delegates of this commonwealth to confer with delegates of the other New England states and with the state of New York for the purposes set forth in section one, he is hereby authorized to appoint said delegates to such number, not to exceed three, as he may deem appropriate who shall serve without compensation. Said delegates and their associates from said states shall be furnished with such accommodations in the state house as may best serve their convenience while acting in this commonwealth, and while so acting, may require the attendance and testimony of witnesses within the jurisdiction of this commonwealth, and the said delegates appointed for this commonwealth may expend for clerical and other assistance and travel such sums as the governor and council may approve.

Powers of dele-
gates.

Report to gen-
eral court.

SECTION 3. The delegates appointed for this commonwealth shall report the results of the investigation hereby authorized to the general court, with such recommendations

and drafts of proposed legislation embodying the same as may appear advisable, not later than the second Wednesday in January, nineteen hundred and twenty-three.

Approved May 2, 1922.

AN ACT AUTHORIZING THE TOWN OF ADAMS TO INCUR IN-DEBTEDNESS FOR SCHOOL PURPOSES. Chap.352

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a school building, and for the purchase of original equipment and furnishings for said building, the town of Adams may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Adams School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Adams may borrow money for school purposes.

Adams School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1922.

AN ACT RELATIVE TO COMPENSATION BY THE COMMON-WEALTH IN CERTAIN CASES WHERE ANIMALS INFECTED WITH BOVINE TUBERCULOSIS ARE KILLED. Chap.353

Whereas, The deferred operation of this act would, to a certain extent, increase the expenditures of the commonwealth to an amount greater than the general welfare requires, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter one hundred and twenty-nine of the General Laws is hereby amended by striking out, in the thirteenth line, the words "a reasonable amount" and inserting in place thereof the words:— an appraisal of such animal shall be made and the amount of appraisal value, — so as to read as follows:— *Section 11.* If the director, or one of his agents, by examination of a case of contagious disease of domestic animals, except foot and

G. L. 129, § 11, amended.

Isolation or killing of diseased animals.

mouth disease, is of opinion that the public good so requires, he shall cause the diseased animal to be securely isolated or to be killed without appraisal or payment. An order for killing shall be issued in writing by the director, may be directed to an inspector or other person, and shall contain such direction as to the examination and disposal of the carcass and the cleansing and disinfection of the premises where such animal was condemned as the director considers expedient. A reasonable amount may be paid from the treasury of the commonwealth for the expense of such killing and burial. If thereafter it appears, upon post mortem examination or otherwise, that such animal was free from the disease for which it was condemned, an appraisal of such animal shall be made and the amount of appraisal value therefor shall be paid to the owner by the commonwealth, except as otherwise provided in section fourteen relative to foot and mouth disease.

Payment of appraisal value to owner for animals killed, when, etc.

G. L. 129, § 12, amended.

Compensation for killing cattle affected with tuberculosis.

SECTION 2. Said chapter one hundred and twenty-nine is hereby amended by striking out section twelve and inserting in place thereof the following: — *Section 12.* If, under the preceding section, any cattle affected with tuberculosis are killed, the full market value thereof at the time of condemnation, not exceeding twenty-five dollars each, shall be paid to the owner by the commonwealth if such animal has been owned by him for a period of not less than sixty days, and has been owned and kept within the commonwealth for six consecutive months, both periods being next prior to its killing, or if it has been inspected within said six months period and satisfactory proof has been furnished to the director, by certificate or otherwise, that it was free from disease on the date of such inspection, and if the owner has not, in the opinion of the director, by wilful act or neglect, contributed to the spread of tuberculosis.

G. L. 129, § 33, amended.

No compensation in certain cases for animals tested with tuberculin.

SECTION 3. Said chapter one hundred and twenty-nine is hereby amended by striking out section thirty-three and inserting in place thereof the following: — *Section 33.* Except as otherwise provided, a person who has animals tested with tuberculin shall not be entitled to compensation from the commonwealth for any animals which react to the tuberculin test unless they have been tested by the director or qualified veterinarians acting under his authorization. The director may prescribe rules and regulations for the inspection of cattle by the application of the tuberculin test and for the

Rules, etc., for inspection of cattle by tuberculin test, etc.

segregation or slaughter of reacting animals; provided, that Proviso.

no inspection by the application of such test shall be made unless an agreement has previously been entered into for such inspection and application with the owner of the animals or his representative. If, in the opinion of the director, any of the animals react to the test and are slaughtered in consequence thereof, the owner shall be reimbursed by the commonwealth in the manner hereinafter provided. The director may appoint persons to make appraisals of reacting cattle in conjunction with the owner or his authorized representative. Such appraisal shall be subject to the rights of arbitration and petition set forth in section thirty-one; provided, that the award or damages shall be within the limits prescribed by this section. The commonwealth shall pay to the owner of any animal slaughtered under authority of any rules or regulations made hereunder one third of the difference between the amount received by the owner for the carcass of the animal and the value of the animal as determined by appraisal as aforesaid; provided, that in no case shall any payment by the commonwealth hereunder exceed twenty-five dollars for any grade animal, or fifty dollars for any pure-bred animal; and provided further, that the owner or his representative has not, in the opinion of the director, by wilful act or neglect, contributed to the spread of bovine tuberculosis.

Reimbursement for slaughter of animals reacting to test, appraisal, etc.

Proviso.

Amount of payment, etc.

Provisos.

SECTION 4. From and after August first, nineteen hundred and twenty-three, section twelve of said chapter one hundred and twenty-nine, as amended by section two of this act, shall be repealed.

G. L. 129, § 12, etc., repealed from and after August 1, 1923.

SECTION 5. Sections one and three shall not take effect until ninety days after the passage of this act.

Time sections one and three shall take effect.

Approved May 2, 1922.

AN ACT RELATIVE TO THE PAR VALUE OF CAPITAL STOCK
ISSUED BY GAS AND ELECTRIC COMPANIES.

Chap. 354

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter one hundred and sixty-four of the General Laws is hereby amended by adding at the end thereof the following new paragraph: — (e) The par value of the shares, which may be one hundred dollars, fifty dollars or twenty-five dollars, as the department shall authorize, — so as to read as follows: — *Section 6.* The agreement of association shall state:

G. L. 164, § 6, amended.

Agreement of association of gas and electric

companies,
what to state.

(a) That the subscribers thereto associate themselves with the intention of forming a gas or an electric company, as the case may be.

(b) The corporate name assumed, which shall contain the words "gas company" or "electric company", as the case may be, at the end thereof.

(c) The name of the town in which it is to be established or situated.

Amount of
capital stock,
etc.

(d) The amount of its capital stock, which shall be not less than one thousand dollars; the number of shares into which the capital stock is to be divided; and, if there are to be preferred shares, the number of such shares, which shall not exceed the number of the common shares, and a statement of the preferences and voting powers or restrictions or qualifications upon which they are to be issued.

Par value of
shares.

(e) The par value of the shares, which may be one hundred dollars, fifty dollars or twenty-five dollars, as the department shall authorize.

G. L. 164, § 8,
amended.

Gas and elec-
tric companies
may change par
value of shares,
etc.

Approval by de-
partment of
public utilities.

SECTION 2. Said chapter one hundred and sixty-four is hereby further amended by striking out section eight and inserting in place thereof the following: — *Section 8.* Every corporation subject to this chapter may at a meeting duly called for the purpose by the vote of a majority of all its stock, or if two or more classes of stock have been issued of a majority of each class outstanding and entitled to vote, authorize a change of the par value of the shares of its capital stock in accordance with paragraph (e) of section six; but such change shall not be effective unless the department shall approve the same on an application of the corporation filed within thirty days after the passage of such vote. The aggregate par value of the outstanding shares shall not be increased by a change in the par value thereof.

Approved May 2, 1922.

Chap. 355 AN ACT RELATIVE TO THE SALE OF CERTAIN COMMODITIES BY WEIGHT OR NUMERICAL COUNT.

Be it enacted, etc., as follows:

G. L. 94, § 96,
amended.

Fruits, nuts,
etc., to be sold
by weight or
numerical
count, except,
etc.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section ninety-six and inserting in place thereof the following: — *Section 96.* Except as otherwise provided in sections ninety-eight and ninety-nine and in chapter ninety-nine, or except when sold in the original standard container, all fruits, nuts, vegetables and grain shall

be sold at retail by avoirdupois weight or numerical count. The words "original standard container", as used in this section shall mean and include only barrels, boxes, baskets, hampers or similar containers, the dimensions or capacity of which is established by law of this commonwealth or by act of congress, the contents of which have not been removed or repacked by the retailer, and upon which is plainly and conspicuously marked the net quantity of the contents thereof in terms of weight, measure or numerical count. This section shall not apply to the sale of apples repacked under the provisions of section one hundred and four nor to the sale, by the bunch, of fresh beets, onions, turnips, rhubarb and other similar vegetables usually and customarily sold by the bunch. Whoever violates any of the provisions of this section shall be punished by a fine of not more than ten dollars.

Section not to apply in certain cases.

Penalty.

SECTION 2. Section ninety-nine of said chapter ninety-four is hereby amended by striking out, in the first line, the words "Chestnuts, walnuts and", so as to read as follows: — *Section 99.* Berries, except cranberries, when sold shall, subject to the preceding section, be measured by the strike or level measure.

G. L. 94, § 99, amended.

Berries, etc., to be measured by strike or level measure.

SECTION 3. Section two hundred and nineteen of said chapter ninety-four is hereby amended by striking out the word "measurers", wherever it occurs in said section, and inserting in place thereof the word: — weighers, — so as to read as follows: — *Section 219.* Mayors and selectmen shall annually appoint one or more weighers of grain, who shall be sworn to the faithful performance of their duty; and if only one is appointed by them, they may authorize him to appoint deputy weighers.

G. L. 94, § 219, amended.

Appointment of weighers of grain.

SECTION 4. Section two hundred and twenty-one of said chapter ninety-four is hereby amended by striking out, in the first line, the word "measurers" and inserting in place thereof the word: — weighers, — so as to read as follows: — *Section 221.* The fees of weighers of grain and their deputies, if any are authorized, shall be prescribed by the aldermen or selectmen of the several towns where they are appointed. One half of such fee shall be paid by the seller and one half by the purchaser.

G. L. 94, § 221, amended.

Fees of weighers of grain.

SECTION 5. Said chapter ninety-four is hereby further amended by striking out section two hundred and twenty-two and inserting in place thereof the following: — *Section 222.* If any wheat, corn, rye, oats, barley, buckwheat, cracked corn, ground corn or corn meal, ground rye or rye meal, or

G. L. 94, § 222, amended.

Certificate of number of cents, etc., when wheat, corn, etc., is sold by

cental or hundredweight.

Penalty.

G. L. 94, § 224, amended.

Penalty for false weights or collusion by weighers of grain, etc.

G. L. 94, § 237, amended.

Sale of timothy, etc., seed, regulated.

Penalty.

G. L. 94, §§ 97, 108, 173, 213, 220, 223, and G. L. 98, § 53, repealed.

feed, or any other meal, is sold by the cental or hundredweight, the weigher or his deputy, on request of either party to the contract, shall ascertain the weight thereof and shall give a certificate of the number of centals or hundredweight of the same; and whoever sells and delivers a quantity of either of said articles exceeding one cental or hundredweight, if it has not been weighed by such weigher or his deputy, shall forfeit to the purchaser ten dollars for each lot purporting to be a cental or hundredweight which contains less than one hundred pounds.

SECTION 6. Said chapter ninety-four is hereby further amended by striking out section two hundred and twenty-four and inserting in place thereof the following: — *Section 224.* If a weigher or deputy weigher uses, or has in his possession with intent to use, for the purposes provided in sections two hundred and nineteen to two hundred and twenty-two, inclusive, any false weight, scale, balance or other instrument for weighing, or colludes with the purchaser or seller with intent to defraud the other party, or makes or utters a false and fraudulent certificate under sections two hundred and nineteen to two hundred and twenty-two, inclusive, he may be removed from office by the aldermen or selectmen, and shall also on conviction thereof be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

SECTION 7. Section two hundred and thirty-seven of said chapter ninety-four is hereby amended by striking out, in the third and fourth lines, the words "the standard weight prescribed in section one hundred and seventy-three" and inserting in place thereof the words: — *avoirdupois weight*, — so as to read as follows: — *Section 237.* Except as otherwise provided in chapter ninety-nine, all contracts for the sale and delivery of timothy or herdsgrass seed shall be made by *avoirdupois weight*. Whoever violates this section shall be punished by a fine of not more than twenty dollars.

SECTION 8. Sections ninety-seven, one hundred and eight, one hundred and seventy-three, two hundred and eighteen, two hundred and twenty and two hundred and twenty-three of chapter ninety-four, and section fifty-eight of chapter ninety-eight, of the General Laws, are hereby repealed.

Approved May 2, 1922.

AN ACT PROHIBITING THE USE OF BEAM OR OTTER TRAWLS Chap.356
IN TAKING FISH FROM CERTAIN WATERS OF THE TOWN OF
EDGARTOWN.

Be it enacted, etc., as follows:

It shall be unlawful to use beam or otter trawls to drag for fish in the waters of the town of Edgartown inside of a line drawn from Stony Point, so-called, on Cape Poge to Sengekontacket bridge. Violation of this section shall be punished by a fine of not less than ten nor more than one hundred dollars.

Penalty for use of beam or otter trawls in taking fish from certain waters of Edgartown.

Approved May 2, 1922.

AN ACT EXTENDING THE PROVISIONS OF LAW AFFORDING Chap.357
TEMPORARY RELIEF TO TENANTS.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter two hundred and fifty-seven of the General Acts of nineteen hundred and nineteen, as amended by chapter five hundred and thirty-eight of the acts of nineteen hundred and twenty and by chapter four hundred and eighty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the third line, the word "February" and inserting in place thereof the word: — July, — so as to read as follows: — *Section 2.* This act shall take effect upon its passage, but shall become null and void on the first day of July in the year nineteen hundred and twenty-three.

1919, 257 (G), § 2, etc., amended.

Time extended on law terminating tenancies at will.

SECTION 2. Section two of chapter five hundred and fifty-five of the acts of nineteen hundred and twenty, as amended by chapter four hundred and ninety-one of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the second line, the word "February" and inserting in place thereof the word: — July, — so as to read as follows: — *Section 2.* This act shall become null and void on the first day of July in the year nineteen hundred and twenty-three.

1920, 555, § 2, etc., amended.

Time extended on law penalizing violation of certain tenants' rights.

SECTION 3. Section six of chapter five hundred and seventy-seven of the acts of nineteen hundred and twenty, as amended by chapter four hundred and ninety of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the second line, the word "February" and inserting in place thereof the word: — July, — so as to read as follows: — *Section 6.* This act shall become null and void

1920, 577, § 6, etc., amended.

Time extended on law providing for stay of proceedings in

summary process actions.

1920, 578, § 3, etc., amended.

Time extended on law as to unjust, etc., agreements for payment of rent, etc.

on the first day of July in the year nineteen hundred and twenty-three.

SECTION 4. Section three of chapter five hundred and seventy-eight of the acts of nineteen hundred and twenty, as amended by chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the second line, the word "February" and inserting in place thereof the word: — July, — so as to read as follows: — *Section 3.* The act shall become null and void on the first day of July in the year nineteen hundred and twenty-three.

Approved May 2, 1922.

Chap.358 AN ACT AUTHORIZING THE DESTRUCTION OF OLD VOUCHERS AND OTHER PAPERS IN THE DEPARTMENT OF THE AUDITOR OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Destruction of old vouchers, etc., in department of state auditor.

The board created by section forty-two of chapter thirty of the General Laws shall, acting in conjunction with the state auditor, examine the original bills, vouchers and other papers which are now on file in the department of the state auditor under section ten of chapter eleven of the General Laws, and destroy such as in their opinion may be destroyed without detriment to the commonwealth.

Approved May 2, 1922.

Chap.359 AN ACT AUTHORIZING THE SOUTH PARISH IN IPSWICH TO UNITE WITH THE FIRST CHURCH OF CHRIST IN IPSWICH UNDER THE NAME OF THE FIRST AND SOUTH CONGREGATIONAL CHURCH OF IPSWICH.

Be it enacted, etc., as follows:

South Parish in Ipswich may unite with The First Church of Christ in Ipswich, etc.

SECTION 1. The South Parish in Ipswich is hereby authorized to unite with The First Church of Christ in Ipswich, and when the votes accepting this act as hereinafter provided have been passed, certified copies thereof, sworn to by the clerks of said corporations and recorded in the registry of deeds for the southern district of the county of Essex, shall be sufficient evidence of such union, and the union shall then be complete.

Name changed to First and South Congregational Church of Ipswich.

SECTION 2. Upon the recording of said votes the name of The First Church of Christ in Ipswich shall be changed to the First and South Congregational Church of Ipswich.

SECTION 3. The records and other books and papers of said South Parish in Ipswich shall be the property of said First and South Congregational Church of Ipswich for the term of two years, and shall then be deposited as required by law.

Records and other books and papers, etc.

SECTION 4. Six months after the recording of said votes the South Parish in Ipswich and its affiliated church shall cease to exist, and be dissolved.

Dissolution of South Parish in Ipswich.

SECTION 5. The church affiliated with said South Parish in Ipswich is hereby authorized to unite with said First and South Congregational Church of Ipswich in accordance with the provision of its charter.

Church affiliated, etc., may unite, etc.

SECTION 6. This act shall take effect upon its acceptance by both said corporations in accordance with their respective charters.

To take effect upon acceptance, etc.

Approved May 2, 1922.

AN ACT PROVIDING FOR THE TAXATION OF FOREST PRODUCTS AND THE CLASSIFICATION AND TAXATION OF FOREST LANDS. Chap. 360

Be it enacted, etc., as follows:

SECTION 1. The General Laws is hereby amended by striking out chapter sixty-one and inserting in place thereof the following: —

G. L. 61, amended.

CHAPTER 61.

TAXATION OF FOREST PRODUCTS AND CLASSIFICATION AND TAXATION OF FOREST LANDS.

Section 1. An owner of forest land, valued on the town tax list of the preceding year for land and growth at not more than twenty-five dollars per acre, and which does not contain more than twenty cords per acre on the average, but which is so stocked with trees as to promise a minimum prospective average yield per acre, exclusive of water, bog or ledge, of twenty thousand board feet for soft woods, or eight thousand board feet for hard woods, or for mixtures of the two, such volume between said limits determinable by the relative percentages of the two classes of growth, may apply in writing to the town assessors to have said land listed as classified forest land, and such application shall contain a description of said land sufficiently accurate for identification. *Section 2.* Within thirty days after the receipt of said application the assessors shall decide whether the property fulfills the requirements for classification, and shall notify the owner of their

Application for classification of forest land.

Decision and notice by assessors as to classification, etc.

Certificate by assessors, recording, etc.

Designation of classified land in annual valuation list, etc.

Products tax upon wood or timber cut, etc.

Owner may cut certain wood, etc., free of tax.
Proviso.

Buildings, etc., on classified land to be taxed, etc.
Assessments.

Withdrawal of land from classification by assessors, etc.

decision, giving their valuation of the tract as land alone, and if within ten days of notification the owner accepts their decision the assessors shall give him a certificate containing the name of the owner and a description of the parcel to be classified, and stating that the land described conforms to the requirements for classification under this chapter. Upon the recording of this certificate by the owner in the registry of deeds for the county or district where the land lies, the parcel shall become classified forest land. Each parcel of land so classified shall thereafter be designated in the annual valuation list of the town, in the column provided for the description of each parcel of land, as classified forest land so long as the parcel remains so classified. The valuation and tax annually assessed upon land classified under this chapter shall not include the value of forest trees growing thereon. When classified forest land is sold or otherwise changes title, the obligations and benefits of this chapter shall devolve upon the new holder of the title. *Section 3.* The standing growth on classified forest land shall not be taxed, but the owner of such land, except as hereinafter provided, shall pay a products tax of six per cent of the stumpage value upon all wood or timber cut therefrom, and one tenth of such taxes collected by the town shall be paid to the state treasurer. Trees standing on such land shall not be included in the town valuation in apportioning the state or county tax among the towns. But an owner of classified forest land may annually cut, free of tax, wood or timber from such land, not exceeding twenty-five dollars in stumpage value; provided, that such wood or timber is for his own use or for that of a tenant of said land only. Buildings or other structures standing on classified forest land shall be taxed as real estate with the land on which they stand. Classified forest land shall be subject to special assessments and betterment assessments. The owner shall make a sworn return to the assessors before May first in each year of the amount of all wood and timber cut from such land during the year ending on the preceding April first. *Section 4.* When in the judgment of the assessors classified forest land contains on the average per acre twenty-five thousand board feet for soft woods, or ten thousand board feet for hard woods, or for mixtures of the two such volume between said limits determinable by the relative percentages of the two classes of growth, they shall notify the owner that two years from date of notification the forest products tax of six per cent of the value of the standing timber based on the

above volumes will be levied and that the land and timber will at that time be taken from the classified list and placed in the general property tax list. Should the owner elect to reduce within two years, the volume of timber below the volume mentioned in the preceding sentence the land shall remain classified, but, if at the end of five years from time of cutting, the growing stock on the tract does not meet the requirements for classification contained in section one, the tract may be taken from classification by the assessors, and any taxes due thereon collected. An owner may withdraw his land from classification at any time by the payment of the land tax, and the forest products tax of six per cent on the estimated value of the standing timber. Within thirty days after an owner requests to withdraw his land from classification the assessors shall determine the taxes due thereon, which shall be paid before the land is taken from the classified list. When in the judgment of the assessors classified forest land becomes more valuable for other use than the production of trees, they may, after thirty days' notice, withdraw said land from classification, and any taxes due thereon shall be paid at the time of withdrawal; provided, that the owner may appeal from such withdrawal to the commissioner, whose decision shall be final. Whenever land is withdrawn from classification, the assessors shall record in the registry of deeds for the county or district where the land lies a certificate setting forth such withdrawal, and containing reference by book and page to the record of the certificate under which said land was classified. *Section 5.* In case of dispute as to the eligibility of land for classification, or as to the volume of wood or timber contained on such land or cut therefrom, either party may appeal to the state forester, who shall examine the property and hear both parties, and whose decision shall be final. *Section 6.* Any owner of classified forest land who fails to comply with the requirements of this chapter shall, upon conviction thereof, be punished by a fine of not less than ten dollars nor more than five hundred dollars, and in addition to said penalty the land may be withdrawn from classification by the assessors.

Withdrawal
of land from
classification
by owner, etc.

Proviso.

Record in
registry of
deeds.

Appeals to state
forester as to
classification,
etc.

Penalty.

SECTION 2. Notwithstanding the passage of this act, all land and the trees, wood and timber thereon which are, on the date when this act takes effect, subject to the provisions of chapter sixty-one of the General Laws shall continue to be subject thereto in accordance therewith.

Certain land,
etc., to con-
tinue to be sub-
ject to G. L. 61.

Approved May 2, 1922.

Chap.361 AN ACT RELATIVE TO MONEY, BONDS OR BANK BOOKS DEPOSITED AT THE TIME OF A RECOGNIZANCE WHICH HAVE BEEN ORDERED FORFEITED.

Be it enacted, etc., as follows:

G. L. 276 § 81,
amended.

Deposits at time
of a recogni-
zance, disposi-
tion upon self-
surrender of
defendant,
forfeiture, etc.

SECTION 1. Section eighty-one of chapter two hundred and seventy-six of the General Laws is hereby amended by adding at the end thereof the following: — The foregoing provisions shall apply to cases in which forfeiture has been ordered, — so as to read as follows: — *Section 81.* The defendant may surrender himself at any time before a default, in the same manner as sureties in criminal cases may surrender their principal, and the court shall thereupon order the bank books to be reassigned and the money or bonds so deposited to be returned to the person in whose name the deposit is made or to his order. At any time after default, on the surrender or recaption of the defendant, the court may order the whole or any part of the money so deposited or of the bonds, or of the amount of the net proceeds of the sale of said bonds, or the bank books, or the whole or any part of the amount collected from the depository thereunder, to be returned to the person in whose name the deposit is made or to his order. If the amount realized by sale or collection pursuant to the preceding section exceeds the amount of the recognizance, the court shall, on an application made at any time, order such excess to be returned to the party found by the court to be entitled thereto. The foregoing provisions shall apply to cases in which forfeiture has been ordered.

To apply to
certain cases of
forfeiture of
deposits, etc.

SECTION 2. The provisions of said section eighty-one, as amended by section one of this act, shall apply to cases in which forfeiture of money, bonds or bank books deposited at the time of recognizance has been ordered under said chapter two hundred and seventy-six subsequently to January first, nineteen hundred and twenty-one and prior to the taking effect of this act.

Approved May 2, 1922.

Chap.362 AN ACT RELATIVE TO THE DISTRIBUTION TO TOWNS OF BUSINESS CORPORATION TAXES.

Be it enacted, etc., as follows:

G. L. 58, § 20,
amended.

SECTION 1. Chapter fifty-eight of the General Laws is hereby amended by striking out section twenty and inserting

in place thereof the following:— *Section 20.* One sixth of the total taxes paid in any state fiscal year by domestic business and foreign corporations under sections thirty to fifty-one, inclusive, of chapter sixty-three shall be retained by the commonwealth. The remainder, after deducting a sum equal to five sixths of such of said taxes as have been abated and refunded under said chapter or section twenty-seven of this chapter during said year, shall be distributed, credited and paid to each of the several towns of the commonwealth in the proportion that the value of the tangible property owned by all corporations taxable under any provision of sections thirty to fifty-one, inclusive, of chapter sixty-three and situated in each town, bears to the value of the total tangible property owned by all such corporations and situated within the commonwealth, as determined by the commissioner from the returns of the previous taxable year or in such other manner as he may deem just and equitable.

Distribution of business corporation taxes.

SECTION 2. Said chapter fifty-eight, as amended in section twenty-five by section three of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section twenty-five and inserting in place thereof the following:— *Section 25.* The commissioner shall ascertain and determine the amount due to each town under sections twenty to twenty-four A, inclusive, notify the treasurer of each town thereof, and certify the amount as finally determined to the state treasurer, who shall thereupon pay the same. Any decision made by the commissioner under sections twenty-one to twenty-four A, inclusive, shall be subject to appeal to the board of appeal.

G. L. 58, § 25, etc., amended.

Commissioner of corporations and taxation to determine amounts due to cities and towns.

Approved May 2, 1922.

AN ACT RELATIVE TO THE EXAMINATION OF BANKS.

Chap. 363

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and sixty-seven of the General Laws is hereby amended by striking out section two and inserting in place thereof the following:— *Section 2.* The commissioner, either personally or by his examiners, or such others of his assistants as he may designate, shall, at least once in each year, make an examination of the affairs of each bank and ascertain its condition, its ability to fulfil its obligations and also whether it has complied with the law;

G. L. 167, § 2, amended.

Examination of banks.

and he may also, whenever he considers it expedient, make, at the expense of the bank, such further examinations as he deems advisable. The commissioner or the person making the examination shall, at the time of any such examination, have free access to the vaults, investments, cash, books and papers. The commissioner shall preserve a full record of each such examination of a bank, including a statement of its condition, if ascertained. Such records, and information contained in the reports of such banks, other than information required by law to be published or to be open to the inspection of the public, shall be open only to the inspection of the commissioner, his examiners and assistants, and such other officers of the commonwealth as may have occasion and authority to inspect them in the performance of their official duties. The commissioner may furnish to the national bank examiners, the federal government, any organization created by federal legislation, or the banking departments of other states, such information, reports and statements relating to the institutions under his supervision as he deems best.

Information
to federal
government,
etc.

G. L. 172, § 23,
repealed.

SECTION 2. Section twenty-three of chapter one hundred and seventy-two of the General Laws is hereby repealed.

Approved May 2, 1922.

Chap. 364 AN ACT ESTABLISHING THE SALARY OF THE TRIAL JUSTICE
OF THE TOWN OF METHUEN.

Be it enacted, etc., as follows:

G. L. 219, § 17,
amended.

Salaries of trial
justices.

SECTION 1. Section seventeen of chapter two hundred and nineteen of the General Laws is hereby amended by striking out, in the ninth and tenth lines, the words "one thousand" and inserting in place thereof the words: — twelve hundred, — so as to read as follows: — *Section 17.* The several trial justices in the places herein named shall receive a salary, to be paid by the county in which the respective places are situated, on the basis of the following named sums for each year or portion thereof of their respective commissions: Ludlow, five hundred dollars; Hardwick, two hundred and fifty dollars; Barre, three hundred dollars; Hudson, five hundred dollars; Hopkinton, one hundred dollars; Saugus, one thousand dollars; Nahant, twelve hundred dollars; Marblehead, one thousand dollars; North Andover, three hundred dollars; Andover, five hundred dollars; and Methuen, twelve hundred dollars.

SECTION 2. This act shall take effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of the county of Essex, and then as of January first in the current year. *Approved May 2, 1922.*

Time of taking effect.

AN ACT RELATIVE TO THE TRANSFER OF PROFITS FROM THE SAVINGS DEPARTMENTS OF TRUST COMPANIES. *Chap.365*

Be it enacted, etc., as follows:

Section sixty-five of chapter one hundred and seventy-two of the General Laws is hereby amended by adding at the end thereof the following:— ; but no such profits shall be transferred to such general funds unless the net undivided profits remaining on hand in the savings department after such transfer would exceed the depreciation of securities owned by said department and the other losses therein, — so as to read as follows:— *Section 65.* All income received from the investment of funds in said savings department, after deducting the expenses and losses incurred in the management thereof and such sums as may be paid to depositors therein as interest or dividends, shall accrue as profits to such corporation and may be transferred to its general funds; but no such profits shall be transferred to such general funds unless the net undivided profits remaining on hand in the savings department after such transfer would exceed the depreciation of securities owned by said department and the other losses therein.

G. L. 172, § 65, amended.

Transfer of profits from savings departments of trust companies to general funds, etc.

Approved May 2, 1922.

AN ACT ESTABLISHING THE SALARIES OF CERTAIN EMPLOYEES OF THE SERGEANT-AT-ARMS. *Chap.366*

Be it enacted, etc., as follows:

SECTION 1. Chapter three of the General Laws, as amended in section eighteen by section one of chapter three hundred and sixty-seven of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section eighteen and inserting in place thereof the following new section:— *Section 18.* There shall be a doorkeeper for each branch, each at a salary of twenty-two hundred dollars, and such assistant doorkeepers as it may direct, each at a salary of eighteen hundred dollars; a postmaster at a salary of two thousand dollars; an assistant postmaster; messengers, each at a salary of sixteen hundred dollars; pages whose compensation shall be six hundred dollars each for the regular

G. L. 3, § 18, etc., amended.

Certain employees of the sergeant-at-arms. Salaries.

annual session and a sum not exceeding three dollars for each day's service after said session; a clerk to take charge of the legislative document room at a salary of two thousand dollars, an assistant clerk of said room at a salary of fifteen hundred dollars, and such assistants therein as may be necessary, for whose fitness and good conduct the sergeant-at-arms shall be responsible.

When increases
in salaries shall
take effect.

SECTION 2. The increases in salaries provided for by this act shall not take effect until an appropriation has been made sufficient to cover the same and then as of June first in the current year.

Approved May 2, 1922.

Chap. 367 AN ACT PROVIDING PENALTIES FOR THE FAILURE OF CERTAIN OFFICERS OF BANKS TO MAKE RETURNS, STATEMENTS OR REPORTS.

Be it enacted, etc., as follows:

G. L. 167, § 8,
amended.

Penalties for
failure of certain
officers of banks
to make returns,
etc.

Chapter one hundred and sixty-seven of the General Laws is hereby amended by striking out section eight and inserting in place thereof the following: — *Section 8.* The treasurer of any bank, or the officers or employees thereof charged with the duties and functions usually performed by the treasurer, who, for fifteen days after notice by the commissioner, fails to make any return, statement or report required by law or by the commissioner, or to amend such a return, statement or report if lawfully required by the commissioner, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Approved May 2, 1922.

Chap. 368 AN ACT RELATIVE TO THE AMOUNT TO BE PAID FOR BURIAL EXPENSES IN CASES UNDER THE WORKMEN'S COMPENSATION LAWS.

Be it enacted, etc., as follows:

G. L. 152, § 33,
amended.

Burial expenses
under Work-
men's Compen-
sation Laws.

Section thirty-three of chapter one hundred and fifty-two of the General Laws is hereby amended by inserting after the word "hundred" in the second line the words: — and fifty, — so as to read as follows: — *Section 33.* In all cases the insurer shall pay the reasonable expense of burial, not exceeding one hundred and fifty dollars. If the employee leaves dependents, such sum shall be a part of the compensation payable, and shall to that extent shorten the period of payment.

Approved May 2, 1922.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PENSION *Chap.369*
MICHAEL BATH.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may pay to Michael Bath City of Boston
may pension
Michael Bath.
of Boston, for twenty-one years in its employ as a fireman in
the public buildings department and now incapacitated for
labor, an annual pension not exceeding one half the annual
compensation received by him at the time of his retirement.

SECTION 2. This act shall take effect upon its acceptance To be submitted
to city council,
etc.
by vote of the city council of said city, subject to the pro-
visions of its charter; provided, that such acceptance occurs Proviso.
prior to December thirty-first in the current year.

Approved May 2, 1922.

AN ACT RELATIVE TO THE SALARIES OF THE CHIEF OF THE *Chap.370*
ARCHIVES DIVISION AND THE COMMISSION CLERK IN THE
OFFICE OF THE STATE SECRETARY.

Be it enacted, etc., as follows:

SECTION 1. Chapter nine of the General Laws is hereby G. L. 9, § 2,
amended.
amended by striking out section two and inserting in place
thereof the following: — *Section 2.* He may appoint a first
deputy and a second deputy, each at a salary of three thou-
sand dollars; a chief of the archives division and a commission
clerk, and may with the approval of the governor and council
fix their salaries; a cashier for whose conduct he shall be re-
sponsible and from whom he may require a bond, and addi-
tional clerks, messengers and other assistants necessary for
the prompt despatch of public business and may fix their
compensation. He may also employ such clerical assistance
as he may deem necessary to carry out the laws relative to
primaries and absentee voting, and such employment shall
not be subject to chapter thirty-one. Appointment,
salaries, etc., of
deputies, etc., in
office of state
secretary.

SECTION 2. Nothing in this act shall affect the salaries of Salaries of
present deputies
not affected.
the present first and second deputies in the office of the state
secretary.

Approved May 2, 1922.

AN ACT RELATIVE TO THE ELIGIBILITY OF WOMEN TO ELEC- *Chap.371*
TION OR APPOINTMENT TO STATE AND COUNTY OFFICES.

Be it enacted, etc., as follows:

SECTION 1. Section seven A of chapter thirty of the Gen- G. L. 30, 7A.
etc., amended.
eral Laws, inserted by section three of chapter four hundred

Eligibility of women to election or appointment to state offices, etc.

and forty-nine of the acts of nineteen hundred and twenty-one, is hereby amended by striking out, in the third and fourth lines, the words “, except those from which they may be excluded by the constitution of the commonwealth”, so as to read as follows:— *Section 7A.* Women shall be eligible to election or appointment to all state offices, positions, appointments and employments. This section shall not prevent heads of departments or officers from making requisition for male officers or employees for various positions which require special qualification of sex nor shall the commissioner of civil service be restricted from recognizing any special qualification of sex stated in requisitions made to him.

G. L. 34, § 3A, etc., amended.

SECTION 2. Section three A of chapter thirty-four of the General Laws, inserted by section four of said chapter four hundred and forty-nine, is hereby amended by striking out, in the third, fourth and fifth lines, the words “, except those from which they may be excluded by the constitution of the commonwealth”, so as to read as follows:— *Section 3A.* Women shall be eligible to election or appointment to all county offices, positions, appointments and employments.

Eligibility of women to county offices, etc.

Approved May 2, 1922.

Chap. 372 AN ACT RELATIVE TO THE SALARY OF THE PRESENT SECOND DEPUTY IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

1919, 174 (S.) § 1, amended.

Section one of chapter one hundred and seventy-four of the Special Acts of nineteen hundred and nineteen is hereby amended by adding at the end thereof the following:—; provided, that the said secretary may, with the approval of the governor and council, increase the salary of the said second deputy, — so as to read as follows:— *Section 1.* The salary of Herbert H. Boynton, first deputy in the office of the secretary of the commonwealth, shall be forty-five hundred dollars a year, and the salary of Peter F. J. Carney, second deputy in said office, shall be thirty-five hundred dollars a year; provided, that the said secretary may, with the approval of the governor and council, increase the salary of the said second deputy.

Salaries of deputies in office of state secretary.

Proviso.

Approved May 2, 1922.

AN ACT TO INCORPORATE THE ENGINEERING-ECONOMICS *Chap.373*
FOUNDATION.

Be it enacted, etc., as follows:

SECTION 1. Hollis Godfrey of Pennsylvania, Frederick C. Engineering-
Economics
Foundation, in-
corporated. Ferry of New York, Melvin M. Johnson of Massachusetts, Louis F. Musil of New York and David H. Tennent of Pennsylvania, their associates and successors, duly chosen, are hereby incorporated and declared to be a body corporate by the name of the Engineering-Economics Foundation and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

SECTION 2. The objects of the foundation shall be ex- Objects.
clusively scientific and educational; to encourage in the broadest and most liberal manner, investigation, research and discovery and the application of knowledge to the improvement of mankind; in particular to develop productive knowledge of engineering-economics and thus give a foundation on which mind-workers concerned with financial and industrial research, teaching and practice can build and carry on the processes required to increase the wealth and welfare of the community; and to do and perform all things necessary to promote the objects and purposes of the institution with full power, however, to the trustees hereinafter appointed and their successors from time to time to modify the conditions and regulations so as to secure the development of its work and the application of its funds in the manner best adapted to the conditions of the time; provided, that the objects and purposes of the corporation shall at all times be kindred to the foregoing.

SECTION 3. The direction and management of the affairs of the foundation and the control and disposal of its property and funds shall be vested in a board of trustees, five in number, to be composed of the following individuals: Hollis Godfrey of Pennsylvania, Frederick C. Ferry of New York, Melvin M. Johnson of Massachusetts, Louis F. Musil of New York and David H. Tennent of Pennsylvania, who shall constitute the first board of trustees. Vacancies occasioned by death, resignation or otherwise, shall be filled by the remaining trustees in such manner as the by-laws shall prescribe; and the persons so elected shall thereupon become Board of trustees, membership, vacancies, etc.

Principal place of business. trustees and also members of the foundation. The principal place of business of the foundation shall be the city of Boston in the commonwealth of Massachusetts.

Powers of board of trustees. SECTION 4. Such board of trustees shall be entitled in the name and on behalf of the foundation to take, hold and administer any and all securities, funds and property which may at any time be given, granted, devised or bequeathed to them or to such corporation for the purposes of the trusts; with full power from time to time to adopt a common seal, to appoint such officers (members of the board of trustees or otherwise), and such employees as may be deemed necessary in carrying on the work of the foundation, at such salaries or with such remuneration as they deem proper; and with full power to adopt by-laws from time to time and such rules and regulations as may be necessary to secure the safe and convenient transaction of the business of the foundation; and with full power and discretion to deal with and expend the funds of the foundation in such manner as in their judgment will best promote the objects herein set forth; and in general to have and use all powers and authority necessary to promote such objects and carry out the purposes of the foundation; with the understanding that the policies of the board of trustees shall be guided by the best academic standards of the time. The trustees shall have further power from time to time to hold as investments such securities, funds and property and any property which has been or may be transferred to them or to the foundation by any other person, persons or corporation, and to invest any sums or amounts from time to time,

Investments.

(a) In such securities and in such form and manner as are permitted for investment to trustees or to charitable, educational or benevolent corporations according to the laws of the states of Massachusetts, New York or Pennsylvania;

(b) In such securities as are authorized for investment or transferred to the foundation by or through any gift or last will and testament to be hereafter made or executed;

(c) In the mortgage bonds of any corporation or other business organization which for a period of five years or more last preceding the investment has continuously paid the fixed charges on such mortgage bonds and has earned in excess of two times the fixed charges on such issue of bonds;

(d) In the preferred stock of any corporation or other business organization which for a period of five years or more

last preceding the investment has continuously paid regular dividends thereon and has had earnings applicable to such dividends of at least twice the dividends paid; Investments.

(e) In any securities which are issued by the United States of America or any agency thereof, or by any state or municipality therein;

(f) At all times at least one third of the investments of the foundation shall be in securities referred to in clause (e) supra;

(g) Except in securities referred to in clause (e) supra, the foundation shall at no time invest more than ten per cent of all its funds in the stocks or in the bonds of any one corporation or other business organization. The percentage at any time invested shall be determined by the cost of such securities and not the then present market value or worth. At no time shall more than one third of the total investments of the foundation be in stocks. *Approved May 2, 1922.*

AN ACT AUTHORIZING THE CONSTRUCTION OF A NEW BRIDGE *Chap. 374*
OVER THE ABERJONA RIVER IN THE TOWN OF WINCHESTER.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and twenty-one of the acts of nineteen hundred and twenty-one is hereby amended by striking out section five and inserting in place thereof the following:— *Section 5.* The cost and expenses incurred under this act shall, in the first instance, be paid by the town of Winchester, and for that purpose said town may from time to time borrow by a temporary loan or loans such sums as may be required for the cost and expenses aforesaid, and may renew the same for such periods as may be necessary. Upon the completion of the bridge, the selectmen of said town shall file with the metropolitan district commission and with the county commissioners of the county of Middlesex a detailed statement, certified under their hands, of the actual cost of its construction, and the commonwealth shall pay to said town, twenty-five per cent thereof, but not exceeding five thousand dollars, to be expended by the metropolitan district commission out of the Metropolitan Parks Maintenance Fund, and said county shall pay to said town twenty-five per cent thereof, but not exceeding five thousand dollars,

1921, 421, § 5,
amended.

Construction of
new bridge over
Aberjona river
in Winchester.
Winchester may
borrow money
to pay cost, etc.

Commonwealth
and Middlesex
county to pay
part of cost.

and the balance remaining of the cost of the bridge shall be paid by the town of Winchester.

1921, 421, § 6,
amended.

Middlesex
county commis-
sioners may is-
sue bonds, etc.

SECTION 2. Section six of said chapter four hundred and twenty-one is hereby amended by striking out, in the fifth and sixth lines, the words "eight thousand seven hundred and fifty" and inserting in place thereof the words: — five thousand, — so as to read as follows: — *Section 6.* To meet the payments required to be made by the county of Middlesex under the provisions of this act, the county commissioners of said county may borrow from time to time, on the credit of the county, sums not exceeding in the aggregate five thousand dollars, and may issue the bonds or notes of the county therefor, payable by such annual payments, beginning not more than one year after the date of each loan as will extinguish the same within ten years from its date; and the amount of such annual payments on such a loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year.

1921, 421, § 7,
amended.

Payment of
cost and
expenses.

Winchester
Bacon Street
Bridge Loan,
Act of 1922.

SECTION 3. Said chapter four hundred and twenty-one is hereby further amended by striking out section seven and inserting in place thereof the following: — *Section 7.* For the purpose of paying that portion of the total cost and expenses incurred under this act which is to be borne by the town of Winchester, the said town may borrow from time to time such sums as may be necessary, not exceeding in the aggregate twenty-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Winchester Bacon Street Bridge Loan, Act of 1922. Each authorized issue shall constitute a separate loan and such loans shall be payable within ten years from their dates. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws. Any sums paid into the town treasury by the commonwealth or county or received from loans authorized by this section shall be applied to the payment of costs and expenses incurred under this act or to the payment of temporary loans authorized by section five.

Application of
certain sums
paid into town
treasury.

1921, 421, § 8,
amended.

Act to be sub-
mitted to Mid-
dlesex county
commissioners
and to inhabit-
ants of Win-
chester.

SECTION 4. Said chapter four hundred and twenty-one is hereby further amended by striking out section eight and inserting in place thereof the following: — *Section 8.* This act shall take effect upon its acceptance by the county commissioners of the county of Middlesex and also by the inhabitants of the town of Winchester; provided, that acceptance in each

case occurs prior to December thirty-first in the year nineteen hundred and twenty-two. So much of this act as authorizes its submission for acceptance as aforesaid shall take effect upon its passage.

Approved May 2, 1922.

Proviso.

AN ACT RELATIVE TO THE SALARY OF THE STATE REGISTRAR OF VITAL STATISTICS IN THE OFFICE OF THE STATE SECRETARY.

Chap. 375

Be it enacted, etc., as follows:

Section ten of chapter nine of the General Laws is hereby amended by striking out, in the third line, the words "at a salary of three thousand dollars" and inserting in place thereof the words:— and may with like approval fix his salary, — so as to read as follows:— *Section 10.* The state secretary may, with the approval of the governor and council, appoint a state registrar of vital statistics, who shall be a competent statistician, and may with like approval fix his salary. The said registrar may, under the direction of the secretary, enforce all laws relative to the registry and return of births, marriages and deaths, and may prosecute in the name of the commonwealth any violations thereof.

G. L. 9, § 10, amended.

State registrar of vital statistics, appointment, salary, etc.

Approved May 2, 1922.

AN ACT RELATIVE TO AID TO MOTHERS OF CERTAIN DEPENDENT CHILDREN BETWEEN FOURTEEN AND SIXTEEN YEARS OF AGE.

Chap. 376

Be it enacted, etc., as follows:

Section one of chapter one hundred and eighteen of the General Laws is hereby amended by inserting after the word "fourteen" in the second line the following:— or between the ages of fourteen and sixteen if and during the time when such children are required under section one of chapter seventy-six to attend a public day school, — so as to read as follows:— *Section 1.* This chapter shall apply to all mothers and their dependent children under the age of fourteen or between the ages of fourteen and sixteen if and during the time when such children are required under section one of chapter seventy-six to attend a public day school, whether or not they or any of them may have a settlement within the commonwealth, who shall have resided therein not less than three years.

G. L. 118, § 1, amended.

Aid to mothers of certain dependent children.

Approved May 2, 1922.

Chap. 377 AN ACT RELATIVE TO WITNESS FEES FOR POLICE OFFICERS
IN CERTAIN CASES.

Be it enacted, etc., as follows:

G. L. 262, § 53,
amended.

SECTION 1. Section fifty-three of chapter two hundred and sixty-two of the General Laws is hereby amended by inserting after the word "attendance" in the ninth line the following: — Any police officer named in section fifty, except a police officer of the city of Boston, who attends as a witness in a criminal case pending in a district court or before a trial justice and who by reason of a continuance or postponement thereof at the request of the defendant, is required to again attend, shall, if not on duty and if it is so ordered by the court or trial justice, be paid for such further attendance the same fee as other witnesses, — so as to read as follows: — *Section 53.* Any officer named in section fifty who attends as a witness at a place other than his residence shall, instead of his expenses, be allowed the witness fee in the court or before the trial justice where he testifies. A police officer on duty at night who attends the superior court as a witness for the commonwealth shall be paid the same fees as any other witness. A police officer who is a witness for the commonwealth, and who under the direction of the district attorney aids in securing the attendance of other witnesses, may receive, instead of his expenses, witness fees for one day's attendance. Any police officer named in section fifty, except a police officer of the city of Boston, who attends as a witness in a criminal case pending in a district court or before a trial justice and who by reason of a continuance or postponement thereof at the request of the defendant, is required to again attend, shall, if not on duty and if it is so ordered by the court or trial justice, be paid for such further attendance the same fee as other witnesses. Police officers shall serve subpoenas upon witnesses when requested by the district attorney, and their returns of service shall have the same force and effect as the return of a deputy sheriff or constable.

G. L. 262, § 56,
amended.

SECTION 2. Section fifty-six of said chapter two hundred and sixty-two is hereby amended by inserting before the word "A" in the first line the words: — Except as otherwise provided, — so as to read as follows: — *Section 56.* Except as otherwise provided, a state police officer or an officer of the commonwealth whose salary is fixed by law, or any employee of the commonwealth receiving regular compensation

Witness fees
for certain
officers.

Certain public
officers not
entitled to
witness fees,
etc., except.

therefrom, shall not be entitled to a witness fee before any court or trial justice in a cause in which the commonwealth is a party. An officer whose compensation is derived solely from fees shall not be entitled to receive more than one fee as a witness for a day's attendance on court under one or more summonses in behalf of the commonwealth, and the said fee shall be apportioned by the clerk among the cases in which he is so summoned.

Approved May 2, 1922.

AN ACT PROVIDING ALLOWANCES FOR THE BURIAL EXPENSES Chap. 378
OF CERTAIN SOLDIERS, SAILORS AND MARINES.

Be it enacted, etc., as follows:

SECTION 1. A post of The American Legion or of the Veterans of Foreign Wars may be granted an allowance for expenses actually incurred in a military funeral or burial of a soldier, sailor or marine of the United States who died in overseas service during the world war, not exceeding fifty dollars in each case; provided, that if financial assistance has been received from any public or private source in conducting such funeral or burial, the sum so allowed shall be reduced by the amount of such assistance, and provided further that where two or more such posts jointly conduct or assist in conducting such a funeral or burial the said allowance shall be paid to both posts in such proportions as the commissioner of state aid and pensions approves.

Allowances for burial of certain soldiers, sailors and marines.

Provisos.

SECTION 2. Application for such allowance may be made, not later than December thirty-first, nineteen hundred and twenty-two, on special forms prepared by said commissioner, to the officials charged with the disbursement of state and military aid for soldiers and sailors and their dependents in the city or town where the post entitled thereto is located. Said officials shall forward the application to the commissioner, who, after examination, shall allow and endorse thereon such amount as he may find to be due such post or posts applying under this act. The amount so allowed shall be paid by the treasurer of the city or town, and the commonwealth shall reimburse such city or town therefor when reimbursing it for payments of state and military aid.

Application for allowance, to whom made, etc.

Payment by cities and towns and reimbursement by commonwealth.

Approved May 2, 1922.

Chap.379 AN ACT PROVIDING FOR ADDITIONAL STRUCTURES AND EQUIPMENT FOR THE UNION TRAINING SCHOOL AT WALPOLE, MAINTAINED JOINTLY BY NORFOLK, BRISTOL AND PLYMOUTH COUNTIES.

Be it enacted, etc., as follows:

Additional structures, etc., for Norfolk, Bristol and Plymouth Union Training School at Walpole.

SECTION 1. The county commissioners of the counties of Norfolk, Bristol and Plymouth are hereby authorized to erect additions to buildings, and other necessary structures, and to equip the same, for the use of the Norfolk, Bristol and Plymouth Union Training School at Walpole, maintained jointly by said counties, and they are hereby authorized to expend therefor a sum not exceeding twenty-five thousand dollars.

Bristol, Norfolk and Plymouth county commissioners may issue bonds, etc.

SECTION 2. For the purposes aforesaid, the county commissioners of Bristol county are hereby authorized to borrow a sum not exceeding ten thousand dollars and to issue bonds or notes of the county therefor; the county commissioners of Norfolk county are hereby authorized to borrow a sum not exceeding ninety-five hundred dollars and to issue bonds or notes of the county therefor; and the county commissioners of Plymouth county are hereby authorized to borrow a sum not exceeding fifty-five hundred dollars and to issue bonds or notes of the county therefor. Such bonds or notes shall be payable by such annual payments beginning not more than one year after the date of each loan as will extinguish each loan within five years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal payable in any subsequent year. Said counties may sell said securities at public or private sale upon such terms and conditions as they may deem proper, but not for less than their par value.

SECTION 3. This act shall take effect upon its passage.

Approved May 3, 1922.

Chap.380 AN ACT MAKING FURTHER PROVISION FOR THE CONSTRUCTION AND COMPLETION BY THE METROPOLITAN DISTRICT COMMISSION OF NEPONSET BRIDGE OVER THE NEPONSET RIVER BETWEEN THE CITIES OF BOSTON AND QUINCY.

Emergency preamble.

Whereas, It is for the public interest that the construction of the Neponset bridge be commenced without delay, in order that suitable provision may be made for public travel

and that work may be provided for the unemployed, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. In order to complete the Neponset bridge authorized by chapter three hundred of the General Acts of nineteen hundred and fifteen, as amended by chapter two hundred and twenty of the General Acts of nineteen hundred and seventeen, and by chapter two hundred and thirty-eight of the General Acts of nineteen hundred and nineteen, and to provide for a masonry arch structure, with granite and concrete piers, concrete superstructure and steel draw, in accordance with plans prepared by the metropolitan district commission and to be approved by the mayors of Boston and Quincy, the said commission may expend in addition to the amounts heretofore authorized the further sum of two hundred and eighty thousand dollars.

Construction and completion by metropolitan district commission of Neponset bridge over Neponset river between Boston and Quincy.

SECTION 2. The additional expenditure hereby authorized, and also the expenditure authorized by said chapter two hundred and thirty-eight, including interest on the money borrowed, shall be assessable and payable in the proportions and manner provided by sections two and four of said chapter two hundred and thirty-eight.

Expenditures to be assessable and payable, etc.

SECTION 3. Before entering into further obligations for the construction of said bridge and approaches, bids and estimates shall be obtained, and the work shall not proceed unless the commission finds that said bridge and approaches can be completed for not exceeding the amount of the unexpended balance of the heretofore authorized expenditure, including the additional amount authorized by this act, and unless the revised plans shall have been approved by the mayors of Boston and Quincy.

Bids and estimates to be obtained.
Work not to proceed unless, etc.

SECTION 4. To meet said additional expenditures, the state treasurer may, with the approval of the governor and council, issue bonds to an amount not exceeding two hundred and eighty thousand dollars, in addition to the amounts already authorized by chapter two hundred and eighty-eight of the acts of eighteen hundred and ninety-four and acts in amendment thereof or in addition thereto, as part of the Metropolitan Parks Loan, Series Two. Such bonds shall be issued as coupon or registered bonds, for such term of years, as shall be recommended by the governor, in accordance with

State treasurer may issue bonds, etc.

Term, rate of interest, etc.

the provisions of section three of article LXII of the amendments to the constitution, and shall bear interest, payable semi-annually on the first days of January and July, at such rate as shall be fixed by the state treasurer with the approval of the governor and council. *Approved May 3, 1922.*

Chap.381 AN ACT ESTABLISHING THE BASIS OF APPORTIONMENT OF STATE AND COUNTY TAXES.

Emergency
preamble.

Whereas, The deferred operation of this act would cause great inconvenience in the collection of state and county taxes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Basis of apportionment of state and county taxes established.

The number of polls, the amount of property and the proportion of every thousand dollars of state tax, including polls at one tenth of a mill each, for each city and town in the several counties of the commonwealth, as contained in the following schedule, are hereby established, and shall constitute a basis of apportionment for state and county taxes until another is made and enacted by the general court, to wit: —

POLLS, PROPERTY AND APPORTIONMENT OF STATE AND COUNTY TAX ON \$1,000.

BARNSTABLE COUNTY.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Barnstable	1,434	\$11,024,893	\$1 72
Bourne	752	6,651,942	1 03
Brewster	179	1,195,489	19
Chatham	456	3,376,002	53
Dennis	490	1,781,500	30
Eastham	123	703,102	11
Falmouth	1,002	11,711,493	1 78
Harwich	533	2,585,037	42
Mashpee	74	606,758	09
Orleans	313	1,746,241	28
Provincetown	951	4,208,256	70
Sandwich	413	1,796,187	30

BARNSTABLE COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Truro	149	\$714,838	\$0 12
Wellfleet	253	1,060,617	18
Yarmouth	402	2,603,947	41
Totals	7,524	\$51,766,302	\$8 16

Basis of appor-
tionment of
state and
county taxes
established.

BERKSHIRE COUNTY.

Adams	2,763	\$17,006,737	\$2 71
Alford	79	276,508	05
Becket	230	1,039,825	17
Cheshire	400	1,272,815	22
Clarksburg	284	904,371	16
Dalton	974	5,953,228	95
Egremont	155	965,246	15
Florida	102	1,487,829	22
Great Barrington	1,670	10,768,293	1 71
Hancock	126	482,477	08
Hinsdale	260	964,939	16
Lanesborough	285	1,019,462	18
Lee	1,152	5,779,525	94
Lenox	867	7,698,568	1 19
Monterey	80	581,905	09
Mount Washington	22	225,677	08
New Ashford	25	121,362	02
New Marlborough	275	1,602,714	26
North Adams	4,956	27,269,965	4 40
Otis	123	442,799	08
Peru	46	276,205	04
Pittsfield	10,864	56,123,027	9 13
Richmond	160	673,741	11
Sandisfield	147	552,113	09
Savoy	127	286,006	05
Sheffield	397	1,611,583	27
Stockbridge	476	6,082,973	92
Tyringham	80	503,570	08
Washington	72	361,345	06
West Stockbridge	300	1,001,702	17
Williamstown	984	6,276,347	1 00
Windsor	112	428,417	07
Totals	28,593	\$160,041,274	\$25 76

Basis of apportionment of state and county taxes established.

BRISTOL COUNTY.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000 including polls at one tenth of a mill each.
Acushnet	748	\$3,544,395	\$0 58
Attleboro	5,608	27,013,810	4 43
Berkley	260	757,287	13
Dartmouth	1,854	8,662,835	1 43
Dighton	702	3,713,577	60
Easton	1,427	5,989,753	1 00
Fairhaven	2,046	9,208,636	1 52
Fall River	31,087	207,638,125	32 87
Freetown	431	1,620,945	28
Mansfield	1,737	7,093,089	1 19
New Bedford	31,972	218,033,517	34 45
North Attleborough	2,635	10,525,767	1 77
Norton	667	2,340,285	40
Raynham	523	1,452,386	26
Rehoboth	585	1,758,208	31
Seekonk	816	2,740,594	47
Somerset	887	3,114,824	54
Swansea	687	2,380,639	41
Taunton	10,233	42,640,618	7 14
Westport	944	4,962,435	81
Totals	95,849	\$565,191,725	\$90 59

COUNTY OF DUKES COUNTY.

Chilmark	94	\$480,854	\$0 08
Edgartown	300	1,983,391	31
Gay Head	44	71,430	01
Gosnold	33	1,054,067	15
Oak Bluffs	340	3,067,192	47
Tisbury	307	2,595,086	40
West Tisbury	81	682,019	11
Totals	1,199	\$9,934,039	\$1 53

ESSEX COUNTY.

Amesbury	2,695	\$11,823,928	\$1 96
Andover	2,024	12,561,935	2 00
Beverly	6,090	50,910,871	7 91

ESSEX COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.	Basis of appor- tionment of state and county taxes established.
Boxford	176	\$1,152,766	\$0 18	
Danvers	2,553	10,141,423	1 71	
Essex	447	1,555,529	27	
Georgetown	507	1,597,503	28	
Gloucester	6,356	32,220,200	5 25	
Groveland	664	1,712,626	31	
Hamilton	485	5,017,977	77	
Haverhill	14,729	70,088,348	11 52	
Ipswich	1,513	7,178,527	1 18	
Lawrence	19,054	130,968,322	20 68	
Lynn	26,381	121,376,262	20 03	
Lynnfield	359	2,174,663	35	
Manchester	686	13,759,636	2 04	
Marblehead	2,006	13,659,498	2 16	
Merrimac	616	2,002,423	35	
Methuen	4,060	18,584,956	3 07	
Middleton	267	1,203,395	20	
Nahant	436	5,229,606	79	
Newbury	410	2,723,811	43	
Newburyport	3,700	14,083,506	2 39	
North Andover	1,581	10,433,188	1 65	
Peabody	5,155	25,437,158	4 16	
Rockport	1,118	5,139,573	85	
Rowley	360	1,328,179	23	
Salem	9,901	53,450,093	8 65	
Salisbury	501	2,656,718	43	
Saugus	2,799	9,039,575	1 58	
Swampscott	1,996	17,374,575	2 69	
Topsfield	275	2,991,549	46	
Wenham	285	3,229,148	49	
West Newbury	413	1,180,551	21	
Totals	120,598	\$663,988,018	\$107 23	

FRANKLIN COUNTY.

Ashfield	249	\$1,146,771	\$0 19	
Bernardston	201	800,439	14	
Buckland	429	2,696,017	43	
Charlemont	258	936,707	16	
Colrain	459	1,776,847	30	
Conway	275	1,093,153	18	

Basis of apportionment of state and county taxes established.

FRANKLIN COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Deerfield	728	\$4,863,145	\$0 77
Erving	375	2,367,332	38
Gill	248	803,102	14
Greenfield	4,364	21,609,415	3 53
Hawley	98	311,329	05
Heath	107	453,120	08
Leverett	186	564,743	10
Leyden	94	352,774	06
Monroe	62	597,856	09
Montague	1,959	11,436,206	1 84
New Salem	169	616,107	11
Northfield	444	1,900,376	32
Orange	1,567	5,821,402	99
Rowe	104	356,450	06
Shelburne	419	2,597,544	41
Shutesbury	63	452,456	07
Sunderland	311	1,065,151	18
Warwick	113	588,136	10
Wendell	110	1,009,471	16
Whately	288	1,083,484	18
Totals	13,680	\$67,299,533	\$11 02

HAMPDEN COUNTY.

Agawam	1,341	\$5,909,894	\$0 98
Blandford	168	1,011,712	16
Brimfield	227	1,149,779	19
Chester	361	1,270,203	22
Chicopee	8,994	50,447,921	8 13
East Longmeadow	649	2,228,488	38
Granville	236	760,786	13
Hampden	187	554,474	10
Holland	37	205,946	03
Holyoke	14,671	110,765,106	17 34
Longmeadow	740	5,918,359	92
Ludlow	2,023	9,369,285	1 55
Monson	930	2,698,853	48
Montgomery	59	250,884	04
Palmer	2,582	11,513,532	1 91
Russell	333	3,704,429	56

HAMPDEN COUNTY — CONCLUDED.

Basis of apportionment of state and county taxes established.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Southwick	388	\$1,574,513	\$0 26
Springfield	35,707	261,433,009	41 04
Tolland	57	378,054	06
Wales	116	443,910	08
West Springfield	3,863	22,601,861	3 63
Westfield	4,778	20,640,743	3 44
Wilbraham	696	2,823,344	47
Totals	79,143	\$517,655,085	\$82 10

HAMPSHIRE COUNTY.

Amherst	1,413	\$8,140,611	\$1 31
Belchertown	520	1,332,511	24
Chesterfield	144	488,690	08
Cummington	143	485,231	08
Easthampton	2,530	14,454,448	2 32
Enfield	196	843,359	14
Goshen	66	361,975	06
Granby	214	1,165,955	19
Greenwich	110	603,499	10
Hadley	670	3,180,831	52
Hatfield	727	3,076,031	51
Huntington	376	1,251,695	22
Middlefield	65	352,341	06
Northampton	4,783	25,626,216	4 15
Pelham	147	634,410	11
Plainfield	98	311,198	05
Prescott	76	327,468	05
South Hadley	1,454	6,356,481	1 06
Southampton	240	823,559	14
Ware	1,983	8,178,400	1 37
Westhampton	101	373,663	06
Williamsburg	467	1,615,208	28
Worthington	151	565,363	10
Totals	16,674	\$80,549,143	\$13 20

Basis of apportionment of state and county taxes established.

MIDDLESEX COUNTY.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Acton	618	\$2,721,635	\$0 45
Arlington	4,898	27,569,359	4 44
Ashby	254	1,243,156	20
Ashland	553	2,349,505	39
Ayer	744	3,368,678	56
Bedford	355	2,584,947	41
Belmont	2,655	18,436,860	2 91
Billerica	1,206	8,145,621	1 29
Boxborough	89	362,905	06
Burlington	267	1,536,279	25
Cambridge	31,681	172,714,877	27 92
Carlisle	150	633,726	11
Chelmsford	1,495	7,144,749	1 17
Concord	1,595	8,098,757	1 32
Dracut	1,264	3,848,054	68
Dunstable	112	702,133	11
Everett	10,198	51,573,442	8 41
Framingham	4,836	29,609,840	4 73
Groton	691	3,602,571	59
Holliston	726	2,905,691	49
Hopkinton	618	2,258,183	39
Hudson	2,081	7,324,086	1 26
Lexington	1,680	10,988,301	1 74
Lincoln	315	2,319,623	36
Littleton	329	1,725,395	28
Lowell	27,774	149,338,376	24 18
Malden	13,100	51,432,808	8 68
Marlborough	3,886	14,767,148	2 51
Maynard	1,905	6,318,780	1 10
Medford	10,623	43,056,837	7 23
Melrose	4,661	23,809,394	3 88
Natick	2,984	13,489,901	2 23
Newton	12,059	101,750,836	15 79
North Reading	344	1,639,669	27
Pepperell	788	3,373,846	56
Reading	1,986	10,554,722	1 71
Sherborn	366	2,033,678	33
Shirley	529	2,480,696	41
Somerville	24,547	95,992,213	16 21
Stoneham	2,059	8,235,375	1 39
Stow	308	1,704,195	28
Sudbury	316	2,372,640	37
Tewksbury	600	3,175,982	52

MIDDLESEX COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.	Basis of appor- tionment of state and county taxes established.
Townsend	483	\$2,280,980	\$0 38	
Tyngsborough	308	1,034,412	18	
Wakefield	3,556	15,933,872	2 64	
Waltham	8,609	46,298,771	7 50	
Watertown	5,674	32,967,258	5 29	
Wayland	590	4,334,248	68	
Westford	765	4,822,593	77	
Weston	667	6,463,962	99	
Wilmington	708	2,646,190	45	
Winchester	2,566	26,023,475	3 99	
Woburn	4,340	18,053,904	3 02	
Totals	206,511	\$1,070,155,134	\$174 06	

NANTUCKET COUNTY.

Nantucket	801	\$6,180,743	\$0 97
Totals	801	\$6,180,743	\$0 97

NORFOLK COUNTY.

Avon	551	\$1,544,859	\$0 28
Bellingham	551	1,758,908	31
Braintree	2,790	13,176,487	2 17
Brookline	9,129	118,508,990	17 90
Canton	1,499	8,220,238	1 33
Cohasset	789	7,257,883	1 12
Dedham	2,821	17,203,515	2 75
Dover	228	3,418,774	51
Foxborough	979	3,789,057	64
Franklin	1,677	7,593,553	1 26
Holbrook	829	2,534,080	45
Medfield	565	2,410,508	40
Medway	744	2,754,858	47
Millis	401	2,595,843	41
Milton	2,421	23,972,902	3 68

Basis of apportionment of state and county taxes established.

NORFOLK COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Needham	1,931	\$12,336,590	\$1 96
Norfolk	263	1,574,717	25
Norwood	3,612	21,568,401	3 45
Plainville	372	1,878,096	31
Quincy	13,377	63,618,861	10 46
Randolph	1,201	3,532,394	63
Sharon	698	4,129,855	66
Stoughton	1,910	6,638,193	1 14
Walpole	1,462	9,687,502	1 54
Wellesley	1,700	20,563,474	3 12
Westwood	420	3,103,344	49
Weymouth	4,050	16,797,767	2 81
Wrentham	434	2,193,740	36
Totals	57,404	\$384,363,389	\$60 86

PLYMOUTH COUNTY.

Abington	1,614	\$5,812,696	\$0 99
Bridgewater	1,818	5,828,014	1 02
Brockton	17,998	78,840,249	13 10
Carver	333	2,339,953	37
Duxbury	490	4,419,208	68
East Bridgewater	957	4,729,183	77
Halifax	181	970,343	16
Hanover	703	2,724,731	46
Hanson	570	2,262,818	38
Hingham	1,452	9,787,032	1 55
Hull	517	14,303,877	2 10
Kingston	654	2,173,634	38
Lakeville	365	1,418,461	24
Marion	404	3,716,340	57
Marshfield	472	3,385,715	53
Mattapoisett	379	2,368,244	38
Middleborough	2,479	7,342,296	1 30
Norwell	434	1,606,166	27
Pembroke	387	1,586,573	27
Plymouth	3,457	23,992,681	3 78
Plympton	141	653,418	11
Rochester	288	1,289,588	21
Rockland	2,074	7,758,391	1 32

PLYMOUTH COUNTY — CONCLUDED.

Basis of apportionment of state and county taxes established.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Seituate	735	\$7,875,597	\$1 20
Wareham	1,523	8,792,417	1 41
West Bridgewater	778	2,238,627	40
Whitman	2,118	7,157,445	1 24
Totals	43,321	\$215,373,697	\$35 19

SUFFOLK COUNTY.

Boston	197,082	\$1,782,657,284	\$275 20
Chelsea	11,269	45,652,664	7 67
Revere	7,447	29,686,534	5 00
Winthrop	3,918	19,287,425	3 16
Totals	219,716	\$1,877,283,907	\$291 03

WORCESTER COUNTY.

Ashburnham	534	\$1,807,002	\$0 31
Athol	2,753	11,905,108	1 98
Auburn	1,025	2,843,694	51
Barre	995	4,130,154	69
Berlin	251	935,316	16
Blackstone	1,144	2,273,304	44
Bolton	212	1,031,499	17
Boylston	226	730,367	13
Brookfield	328	1,304,240	22
Charlton	548	2,065,727	35
Clinton	3,294	15,710,677	2 58
Dana	165	661,485	11
Douglas	557	2,131,277	36
Dudley	1,053	4,320,778	72
East Brookfield	233	911,252	15
Fitchburg	10,836	61,582,357	9 91
Gardner	4,464	20,894,119	3 44
Grafton	1,328	6,588,664	1 08
Hardwick	794	3,742,179	62
Harvard	309	2,168,679	34
Holden	729	2,909,601	49

Basis of apportionment of state and county taxes established.

WORCESTER COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Hopedale	861	\$8,373,332	\$1 29
Hubbardston	306	1,127,600	19
Lancaster	568	3,797,091	60
Leicester	950	4,197,963	70
Leominster	5,230	20,444,275	3 45
Lunenburg	459	1,904,605	32
Mendon	270	940,058	16
Milford	3,587	12,880,429	2 21
Millbury	1,364	5,472,879	92
Millville	560	1,670,781	30
New Braintree	130	579,096	10
North Brookfield	719	2,687,220	46
Northborough	522	2,222,859	37
Northbridge	3,051	12,374,628	2 08
Oakham	161	484,163	09
Oxford	980	2,977,046	53
Paxton	134	602,376	10
Petersham	177	1,545,362	24
Phillipston	109	412,930	07
Princeton	216	1,263,840	20
Royalston	238	1,272,126	21
Rutland	433	1,230,270	22
Shrewsbury	1,153	5,172,649	86
Southborough	540	3,432,755	55
Southbridge	3,892	12,562,053	2 19
Spencer	1,607	4,431,483	80
Sterling	414	1,596,990	27
Sturbridge	508	1,398,868	25
Sutton	653	2,356,871	40
Templeton	971	3,386,178	58
Upton	474	1,632,544	28
Uxbridge	1,478	7,157,849	1 17
Warren	1,033	4,849,533	80
Webster	3,065	12,666,316	2 12
West Boylston	426	1,391,592	24
West Brookfield	385	1,426,137	24
Westborough	1,084	4,148,344	70
Westminster	380	1,301,563	22
Winchendon	1,551	6,413,501	1 07
Worcester	51,057	285,230,320	45 99
Totals	123,474	\$599,663,954	\$98 30

RECAPITULATION.

Basis of apportionment of state and county taxes established.

COUNTIES.	Polls	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Barnstable	7,524	\$51,766,302	\$8 16
Berkshire	28,593	160,041,274	25 76
Bristol	95,849	565,191,725	90 59
Dukes	1,199	9,934,039	1 53
Essex	120,598	663,988,018	107 23
Franklin	13,680	67,299,533	11 02
Hampden	79,143	517,655,085	82 10
Hampshire	16,674	80,549,143	13 20
Middlesex	206,511	1,070,155,134	174 06
Nantucket	801	6,180,743	97
Norfolk	57,404	384,363,389	60 86
Plymouth	43,321	215,373,697	35 19
Suffolk	219,716	1,877,283,907	291 03
Worcester	123,474	599,663,954	98 30
Totals	1,014,487	\$6,269,445,943	\$1,000 00

Approved May 3, 1922.

AN ACT AUTHORIZING ABATEMENT AND REPAYMENT OF UNWARRANTED INCOME, SUCCESSION OR CORPORATION TAXES.

Chap.382

Be it enacted, etc., as follows:

Chapter fifty-eight of the General Laws is hereby amended by striking out section twenty-seven and inserting in place thereof the following:— *Section 27.* If it shall appear that an income tax, a legacy and succession tax, or a tax or excise upon a corporation, foreign or domestic, was in whole or in part illegally assessed or levied, or was excessive or unwarranted, the commissioner may, with the approval of the attorney general, issue a certificate that the party aggrieved by such tax or excise is entitled to an abatement, stating the amount thereof. If the tax or excise has been paid, the state treasurer shall pay the amount thus certified in such manner as the certificate shall provide, without any appropriation therefor by the general court. No certificate for the abatement of any tax or excise shall be issued under this section unless application therefor is made to the commissioner within

G. L. 58, § 27, amended.

Abatement and repayment of illegally assessed, excessive or unwarranted income, legacy, succession or corporation taxes.

Repayment
may be
equalized, etc.

two years after the date of the bill for said tax or excise, or for an amount exceeding the sum which in equity and good conscience ought to be abated under all the circumstances of the case. In issuing certificates hereunder, the commissioner and attorney general may, if they deem it expedient, equalize the burden of repayment by providing in the certificate for postponement of payment, or for payment by instalments. The decision of the commissioner and attorney general shall be final. The state treasurer shall retain from the sums next to be distributed to any city or town under sections eighteen to twenty-four, inclusive, an amount equal to the sum which has already been paid to such city or town on account of any tax or excise refunded under this section. This section shall be in addition to and not in modification of any other remedies.

Approved May 3, 1922.

Chap. 383 AN ACT RELATIVE TO THE PROCEDURE IN THE MAKING OF CONTRACTS BY COUNTY COMMISSIONERS.

Be it enacted, etc., as follows:

G. L. 34, § 17,
amended.

Procedure in
making of con-
tracts by
county com-
missioners.

Chapter thirty-four of the General Laws is hereby amended by striking out section seventeen and inserting in place thereof the following: — *Section 17.* All contracts exceeding eight hundred dollars in amount made by the commissioners for building, altering, furnishing or repairing public buildings, or for the construction or repair of public works, or for the purchase of supplies, shall be in writing and shall be filed with said commissioners or their clerk, and a copy of each such contract shall be filed in the office of the county treasurer. All changes in or additions to, or agreements for extras under, such contracts shall also be in writing and be so filed. All such contracts shall be made after notice inviting bids therefor has been posted for at least one week in a conspicuous place in each county building where the commissioners have an office and has been advertised at least three times in a newspaper, if any, published in the city or town wherein the public building, bridge, highway or public work or institution to be supplied in accordance with the contract is or is to be situated; otherwise in any newspaper of general circulation in the county. The commissioners shall in each case make and file with the county treasurer a sworn certificate of such posting and advertising, but in an emergency, to the existence of which they shall certify upon the orders to the county

treasurer for the payment of bills, they may contract for repairs without such posting or advertising. All bids shall be publicly opened in the presence of the commissioners and recorded in their records. No contract made in violation of this section shall be valid against the county, and no payment thereunder shall be made. The commissioners may, however, repair county buildings or other public works by day work, if in their judgment, expressed in a vote, the best interests of the county so require; but no bill therefor in excess of eight hundred dollars shall be paid by the county treasurer unless, upon or with the bill, the clerk of the commissioners has certified that such vote is entered upon their records.

Validity of contracts, etc.

Approved May 3, 1922.

AN ACT AUTHORIZING THE TOWN OF ASHBURNHAM TO MAKE
AN ADDITIONAL WATER LOAN. Chap. 384

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending its water mains and improving its water distribution facilities, the town of Ashburnham may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, twenty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Ashburnham Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than fifteen years from their dates. Any indebtedness incurred under this act shall be outside the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Ashburnham may make an additional water loan.

Town of Ashburnham Water Loan, Act of 1922.

SECTION 2. The town shall, at the time of authorizing said loan or loans provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required by this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Payment of loan.

SECTION 3. This act shall take effect upon its passage.

Approved May 9, 1922.

Chap.385 AN ACT AUTHORIZING THE TOWN OF MIDDLEFIELD TO INCUR INDEBTEDNESS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Town of Middlefield may borrow money for highway purposes.

Middlefield Highway Loan, Act of 1922.

SECTION 1. For the purpose of meeting the town's share of the cost of the highway constructed in accordance with chapter five hundred and sixty-six of the acts of nineteen hundred and twenty, the town of Middlefield may borrow from time to time such sums as may be necessary, not exceeding in the aggregate sixty-four hundred dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Middlefield Highway Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but, except as herein provided, shall be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1922.

Chap.386 AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

1921, 32, § 1, amended.

City of Newburyport may borrow money for school purposes.

Newburyport School Loan, Act of 1922.

SECTION 1. Chapter thirty-two of the acts of nineteen hundred and twenty-one is hereby amended by striking out section one and inserting in place thereof the following: —

Section 1. For the purposes of constructing school buildings and of constructing additions to existing school buildings in the city of Newburyport, or for either of said purposes, and of acquiring the necessary land, said city may, from time to time, borrow such sums as may be necessary, not exceeding in the aggregate one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Newburyport School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1922.

AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO INCUR INDEBTEDNESS TO EXTEND AND IMPROVE CERTAIN STREETS. Chap.387

Be it enacted, etc., as follows:

SECTION 1. For the purpose of widening Water street southerly from Court street and laying out and extending Broadway, the city of Springfield may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, six hundred thousand dollars, and may issue bonds therefor which shall bear on their face the words, Water Street and Broadway Improvement Loan, City of Springfield, Act of 1922. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of Springfield may borrow money to extend and improve certain streets.

Water Street and Broadway Improvement Loan, City of Springfield, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1922.

AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES. Chap.388

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a school building, or an addition to the present high school building increasing the floor space thereof, and for the purpose of originally equipping and furnishing said building or addition, the city of Marlborough may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Marlborough School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

City of Marlborough may borrow money for schoolhouse purposes.

Marlborough School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1922.

Chap.389

AN ACT REVIVING CERTAIN CORPORATIONS.

Emergency
preamble.

Whereas, The deferred operation of this act would cause inconvenience and expense, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Certain corpo-
rations re-
vived.

The following named corporations, which were dissolved by the chapters set opposite their respective names, are hereby revived with the same powers, duties and obligations as if the said chapters had not been passed.

NAME	Dissolved by
The Pope Manufacturing Com- pany.	Chapter one hundred and twelve, Special Acts of nineteen hundred and sixteen.
Chebra Har Moriah, (Society Mount Moriah).	Chapter one hundred and fifty- seven, Special Acts of nineteen hundred and seventeen.
The Hampton Paper Company	Chapter one hundred and nine, Special Acts of nineteen hundred and eighteen.

Approved May 9, 1922.

Chap.390

AN ACT RELATIVE TO THE ASSESSMENT OF TAXES ON LANDS AND BUILDINGS OF THE CITY OF BOSTON LEASED FOR BUSINESS PURPOSES AND THE COLLECTION OF SUCH TAXES FROM THE LESSEES THEREOF.

Assessment of
taxes on lands
and buildings
owned by city
of Boston, if
leased for busi-
ness purposes,
and collection
of such taxes
from lessees
thereof.

Be it enacted, etc., as follows:

SECTION 1. The lands and buildings owned by the city of Boston in fee, in trust or otherwise may, if leased for business purposes, be taxed by the assessors of taxes of said city and the taxes assessed to the lessees thereof or to their assigns in the same manner and to the same extent as if said lessees were the owners thereof in fee. Payment of the said taxes shall not be enforced by any lien upon or sale of the said lands and buildings, but the interests of said lessees or their assigns therein may be sold by the collector of taxes of said city for the non-payment of the taxes assessed as afore-said, in the manner provided by law for the sale of real estate for non-payment of local taxes. Said collector of taxes may

maintain against the persons assessed as aforesaid or their legal representatives actions in his own name for the taxes so assessed in the manner provided by law for the collection of other local taxes.

SECTION 2. This act shall take effect upon its passage but, for the purposes of taxation in the year nineteen hundred and twenty-two, the said lessees shall be subject to taxation as of April first, nineteen hundred and twenty-two.

Approved May 9, 1922.

Time of taking effect, etc.

AN ACT AUTHORIZING THE CITY OF WALTHAM TO INCUR INDEBTEDNESS, NOT EXCEEDING SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS, FOR CITY HALL AND OTHER MUNICIPAL BUILDING PURPOSES.

Chap. 391

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for a city hall and other municipal purposes, the city of Waltham may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Waltham Municipal Land Loan, Act of 1922. For the purpose of constructing a city hall and other municipal buildings, including the cost of original equipment and furnishings for the same, said city may also borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Waltham Municipal Building Loan, Act of 1922. Each authorized issue hereunder shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

City of Waltham may borrow money for city hall and other municipal building purposes.

Waltham Municipal Land Loan, Act of 1922.

Waltham Municipal Building Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1922.

AN ACT AUTHORIZING CITIES AND TOWNS TO PROVIDE FOR LICENSING THE SALE OF CERTAIN BEVERAGES.

Chap. 392

Be it enacted, etc., as follows:

Chapter one hundred and forty of the General Laws is hereby amended by inserting after section twenty-one, under the heading of "Retail Vendors of Soft Drinks", the following new sections: — *Section 21A.* Cities and towns may provide by ordinance or by-law for the licensing of persons to keep

G. L. 140, new sections after § 21.

Cities and towns may license sale of

certain beverages.

Fixing of license fees.

Licenses to specify street and number, etc.

Date of expiration.

Maximum fee.

Suspension or revocation.

Penalty for unlicensed persons.

Section not applicable to certain persons.

Three preceding sections not applicable to certain persons.

open their places of business for the retail sale of beverages derived wholly or in part from cereals or substitutes therefor and containing less than one half of one per cent of alcohol, unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters, carbonated waters or beverages, and other so-called soft drinks, and may fix the fee for said licenses within the limit hereinafter provided, except that in cities having licensing boards the authority to provide for the licensing of such persons and the fixing of fees therefor shall be vested in said licensing boards. *Section 21B.* Licenses granted as aforesaid shall specify the street or place and the number if there be any, and if there is no number, then the location of the place of business in which the license is to be exercised, and the license shall not be valid in any other place. Licenses so issued shall expire on April thirtieth of each year. The fee for a license shall not be more than one dollar, and the license may be suspended or revoked at any time after a hearing by the authorities granting the same. *Section 21C.* Whoever not being licensed as aforesaid keeps open his place of business for the retail sale of any such beverage shall be punished by a fine of not more than fifty dollars. This section shall not apply to persons who keep open their places of business on Sunday for the sale of soda water, if they are licensed under section seven of chapter one hundred and thirty-six. *Section 21D.* The provisions of the three preceding sections shall not apply to innholders, common victualers, druggists, nor to dealers whose principal business is the sale of groceries and meats or either of said products, nor to the sale of any or all of such beverages when sold not to be drunk on the premises.

Approved May 9, 1922.

Chap. 393 AN ACT RELATIVE TO COUNTY EXPENDITURES FOR TUBERCULOSIS HOSPITALS.

Be it enacted, etc., as follows:

G. L. 111, § 82, amended.

County expenditures for tuberculosis hospitals.

SECTION 1. Chapter one hundred and eleven of the General Laws is hereby amended by striking out section eighty-two and inserting in place thereof the following: — *Section 82.* County commissioners shall, in carrying out sections seventy-eight to ninety, inclusive, raise and expend such sums of money for acquiring land and constructing and equipping hospitals, and for the purchase, alteration and enlargement of existing buildings, and for all other purposes, as

may be authorized by the general court. They may borrow, on the credit of the county, when so authorized by the general court, the said sums, and issue notes of the county therefor, with such interest as may be fixed under section thirty-nine of chapter thirty-five, payable semi-annually, or without interest, in which case they may sell such notes at such discount as they deem proper. The notes shall be signed by the county treasurer and countersigned by the county commissioners. The county may sell the said securities, at public or private sale, on terms and conditions deemed proper, but the proceeds shall be used only for the purposes specified in sections seventy-eight to ninety, inclusive. Said notes may be renewed from time to time until all the towns liable have paid to the county treasurer the amounts assessed. All reimbursement from towns shall be applied to the payment of temporary debt incurred under sections seventy-eight to ninety, inclusive, by said counties.

County commissioners may borrow money and issue notes, etc.

SECTION 2. Section eighty-six of said chapter one hundred and eleven is hereby amended by inserting at the beginning thereof the words: — Subject to section eighty-two, — so as to read as follows: — *Section 86.* Subject to section eighty-two, county commissioners may purchase, lease, or take by eminent domain under chapter seventy-nine, such land, not exceeding five hundred acres, as they may deem necessary or convenient for the purposes set forth in sections seventy-eight to ninety, inclusive.

G. L. 111, § 86, amended.

County commissioners may take land, etc.

Approved May 9, 1922.

AN ACT PROVIDING FOR SURPLUS FUNDS IN TRUST COMPANIES AND PROHIBITING THE PAYMENT OF UNEARNED DIVIDENDS ON CAPITAL STOCK.

Chap. 394

Be it enacted, etc., as follows:

Chapter one hundred and seventy-two of the General Laws is hereby amended by striking out section eighty and inserting in place thereof the following: — *Section 80.* The directors of any such corporation may declare dividends of so much of the net profits of the corporation as they shall judge expedient; but such corporation shall, before the declaration of a dividend from the net profits, carry one tenth part of its net profits of the preceding period for which said dividend is paid, to its surplus fund until the same shall amount to fifty per centum of its capital stock. No such corporation or stockholder thereof shall, during the time it continues its

G. L. 172, § 80, amended.

Trust companies may declare dividends, etc.

Surplus fund.

Capital not to be withdrawn.

banking operations, withdraw or permit to be withdrawn, either in the form of dividends or otherwise, any portion of its capital. No dividend shall be paid by any such corporation, while it continues its banking operations, to an amount greater than its net profits then on hand, exclusive of the surplus fund provided for in this section, after deducting from such net profits its losses and bad debts. All debts due to any such corporation on which interest is due and unpaid for a period of six months, unless the same are well secured and in process of collection, shall be considered bad debts within the meaning of this section. But nothing in this section shall prevent the reduction of the capital stock as provided for in section eighteen. *Approved May 9, 1922.*

Unearned dividends prohibited.

What considered to be bad debts.

Capital stock may be reduced.

Chap. 395 AN ACT PROHIBITING THE USE OF THE WORDS "CERTIFIED PUBLIC ACCOUNTANT" IN CERTAIN CASES AND FOR OTHER PURPOSES.

Be it enacted, etc., as follows:

G. L. 93, § 37, amended.

Public accountants, registration and certificate thereof.

Annual fee.

Suspension, etc., of certificate.

G. L. 93, § 39, amended.

Use of words "certified public accountant", regulated.

Proviso.

SECTION 1. Chapter ninety-three of the General Laws is hereby amended by striking out section thirty-seven and inserting in place thereof the following: — *Section 37.* Any applicant whom the commissioner deems to have the necessary qualifications and professional ability shall be registered as a public accountant, and shall receive a certificate thereof. Every registered public accountant shall, annually on or before the anniversary date of the issuance of such certificate, pay to the commissioner a fee of five dollars. The commissioner, if the annual fee is not paid, shall, and, for other sufficient cause, may, after notice and a hearing, suspend or revoke the certificate. He shall keep a record of all certificates issued under this section a duplicate of which shall be open to inspection in the office of the state secretary.

SECTION 2. Said chapter ninety-three is hereby further amended by striking out section thirty-nine and inserting in place thereof the following: — *Section 39.* No person not registered under section thirty-seven shall designate himself or hold himself out as a certified public accountant. No partnership unless all of its members are registered under section thirty-seven, and no corporation, shall use the words "certified public accountant" in describing the partnership or corporation or the business thereof; provided, that any partnership or corporation may represent that a specified person registered under section thirty-seven is a member of

such partnership or is in the service of such partnership or corporation. Any violation of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months or both. Penalty.

Approved May 9, 1922.

AN ACT RELATIVE TO THE ESTABLISHMENT OF BRANCH OFFICES BY TRUST COMPANIES. Chap.396

Be it enacted, etc., as follows:

Chapter one hundred and seventy-two of the General Laws is hereby amended by striking out section forty-six and inserting in place thereof the following:— *Section 46.* Any office of a trust company the business of which has been taken over under section forty-four by, or any office of a national bank purchased by or merged in, a trust company located in the same town, may be maintained as a branch office of such corporation, if in the opinion of the commissioner public convenience will be served thereby. G. L. 172, § 46, amended.
Establishment of branch offices by trust companies.

Approved May 9, 1922.

AN ACT RELATIVE TO THE ENTRY OF TEMPORARY ORDERS PROVIDING FOR THE SUPPORT OF WIFE, OR CHILDREN, IN DESERTION, NON-SUPPORT, AND BASTARDY CASES. Chap.397

Be it enacted, etc., as follows:

Section four of chapter two hundred and seventy-three of the General Laws is hereby amended by striking out said section and substituting therefor the following new section:— *Section 4.* The district court, or a trial justice, at any time after arraignment and before an appeal from such court or trial justice is perfected by entry in the superior court, and the superior court at any time after such entry and before final determination of the case, may, upon motion of the complainant or district attorney and upon notice to the defendant, enter such temporary order as may seem just, providing for the support of the wife, or children, or both, pendente lite, and said order, wherever made, shall continue in force until modified or revoked by the court before which the case is pending. If any such order is made by a district court, or by a trial justice, an appeal to the superior court shall not vacate such order. Violation of an order made by either court may be punished as for a contempt by the court before which the case is then pending. G. L. 273, § 4, amended.
Entry of temporary orders providing for support of wife or children in desertion, non-support and bastardy cases.
Penalty.

Approved May 9, 1922.

Chap. 398 AN ACT EXEMPTING CERTAIN VETERANS OF THE WORLD WAR FROM THE PAYMENT OF ADDITIONAL POLL TAXES.

Emergency pre-
amble.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Exemption of
certain world
war veterans
from payment
of additional
poll taxes.

SECTION 1. Any inhabitant of this commonwealth who was engaged in the military or naval service of the United States during the world war and who proves to the satisfaction of the board of assessors that he is still in said service or who exhibits to said board an honorable discharge from said service or release from active duty therein, and who is not entitled under section nine of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen to an abatement of the additional poll tax provided for by section one of Part I of chapter four hundred and ninety of the acts of nineteen hundred and nine, as amended by section ten of said chapter two hundred and eighty-three, shall be assessed for such additional poll tax, but may, upon application to the board of assessors in the city or town in which he resides, receive an abatement thereof if he applies for such abatement within ninety days from the date of the tax bill.

To apply to
certain addi-
tional poll
taxes.

SECTION 2. This act shall apply to such additional poll taxes assessed for the years nineteen hundred and twenty-two and nineteen hundred and twenty-three.

Approved May 11, 1922.

Chap. 399 AN ACT PROVIDING FOR CLERICAL ASSISTANCE TO CLERKS OF DISTRICT COURTS.

Be it enacted, etc., as follows:

G. L. 218, § 69,
etc., amended.

SECTION 1. Chapter two hundred and eighteen of the General Laws, as amended by section one of chapter four hundred and thirty of the acts of nineteen hundred and twenty-one, is hereby amended by striking out section sixty-nine and inserting in place thereof the following: — *Section 69.* The clerk of each district court, except the clerks of the municipal court of the city of Boston for civil and criminal business, shall be allowed annually for extra clerical assistance

Clerical assist-
ance to cer-
tain clerks of
district courts.

such amount as the mayor of the city of Boston, if the district court is in Suffolk county, or as the county commissioners, if it is in any other county, may approve, upon the certificate of the justice and clerk that extra clerical assistance was actually performed and necessary, stating the names of the persons by whom it was performed and the time occupied.

SECTION 2. Said chapter two hundred and eighteen, as amended by section one of chapter four hundred and thirty of the acts of nineteen hundred and twenty-one, is hereby amended by striking out section seventy and inserting in place thereof the following: — *Section 70.* The clerks of the following courts shall be annually allowed for extra clerical assistance the following amounts, payable monthly by Suffolk county to the persons employed to render it:

G. L. 218, § 70, etc., amended.

Municipal court of the city of Boston, for criminal business, forty-four hundred dollars; for civil business, forty-two hundred dollars.

Clerical assistance to clerks of municipal court of city of Boston for civil and criminal business, and of Boston juvenile court.

Municipal court of the city of Boston for civil business four thousand dollars on the certificate of a majority of the justices of said court that such assistance was rendered and was necessary.

Boston juvenile court, nine hundred dollars on the certificate of the justice thereof that such assistance was rendered and was necessary.

The clerks of the municipal court of the city of Boston for civil business and criminal business may each expend for clerical assistance such further amounts as the majority of the justices thereof may from time to time approve, subject, however, to the approval of the officers having in Boston the powers of county commissioners.

In addition to the sums allowed by the foregoing provisions of this section, sufficient sums shall be allowed to comply with section one of chapter two hundred and sixty of the General Acts of nineteen hundred and eighteen and with chapter two hundred and seventy-six of the General Acts of nineteen hundred and nineteen.

SECTION 3. Section seventy-one of said chapter two hundred and eighteen, as amended by section one of chapter four hundred and sixty-five of the acts of nineteen hundred and twenty-one; section seventy-two of said chapter two hundred and eighteen; section seventy-three of said chapter two hundred and eighteen, as amended by section one of chapter four hundred and thirty of the acts of nineteen hundred and twenty-one; section seventy-one A of said chapter two hun-

G. L. 218, certain sections repealed.

dred and eighteen, inserted by section one of chapter three hundred and thirty-four of the acts of nineteen hundred and twenty-one; section seventy-one B of said chapter two hundred and eighteen, inserted by section two of said chapter three hundred and thirty-four; section seventy-one C of said chapter two hundred and eighteen, inserted by section one of chapter four hundred and sixty-four of the acts of nineteen hundred and twenty-one; and section seventy-one D of said chapter two hundred and eighteen, inserted by section two of chapter four hundred and sixty-five of the acts of nineteen hundred and twenty-one are hereby repealed.

Approved May 11, 1922.

Chap. 400 AN ACT RELATIVE TO THE REGISTRATION AND SALE OF
COMMERCIAL FEEDING STUFF.

Be it enacted, etc., as follows:

G. L. 94, § 227,
amended.

Copy of tag or
label on com-
mercial feeding
stuff to be
filed for regis-
tration, etc.

Registration
fee.

G. L. 94, § 228,
amended.

Certified copy
of tag, etc., to
be filed, etc.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section two hundred and twenty-seven and inserting in place thereof the following: —

Section 227. No manufacturer, importer or other person shall sell or offer, expose or keep for sale or distribute any commercial feeding stuff, until he has filed with the director or his authorized deputy for registration, a copy certified by him to be a true copy of the tag or label required by the two preceding sections, excepting the item as to the number of pounds, for each brand of feeding stuff to be sold or offered, exposed or kept for sale or distributed and has paid to said director or his authorized deputy a registration fee of twenty dollars for each such brand. No agent or other person shall be obliged to file a copy of the tag or label of, or pay a registration fee for, any brand of feeding stuff, for which a copy of the tag or label has been filed and the registration fee paid by the manufacturer or importer of such brand and for which a certificate of registration has been issued.

SECTION 2. Section two hundred and twenty-eight of said chapter ninety-four is hereby amended by inserting after the word "deputy" in the fourth line the words: — , and said registration fee paid to him, — and also by inserting after the word "and" in the ninth line the words: — , upon payment to him of said registration fee, — so as to read as follows: — *Section 228.* A certified copy of the tag or label required by any provision of sections two hundred and twenty-five to two hundred and thirty-five, inclusive, shall be filed

for registration with the director or his authorized deputy, and said registration fee paid to him, prior to January first in each year for each brand of commercial feeding stuff to be sold or offered, exposed or kept for sale or distributed during the year beginning with said January first. The director or his authorized deputy may thereafter permit a manufacturer, importer or other person to file a copy of the tag or label of a brand of feeding stuff, and, upon payment to him of said registration fee, may register the same for said year in accordance with the rules and regulations which are prescribed by the director.

SECTION 3. Said chapter ninety-four is hereby further amended by striking out section two hundred and twenty-nine and inserting in place thereof the following: — *Section 229.* When the certified copy of the tag or label of any brand of commercial feeding stuff has been filed as provided in the two preceding sections and said registration fee has been paid, the director or his authorized deputy shall register such tag or label if he finds the same to be in accordance with the requirements of sections two hundred and twenty-five to two hundred and thirty-five, inclusive, and shall issue, or cause to be issued, a certificate of such registration. The certificate shall authorize the sale of the brand of feeding stuff for which it is issued, up to and including December thirty-first of the year for which it is issued. All registration fees received under this and the preceding section by the director or his authorized deputy shall be paid to the commonwealth.

G. L. 94, § 229,
amended.

Tag, etc., to be
registered and
certificate
issued.

Registration
fees to be paid
to common-
wealth.

Approved May 11, 1922.

AN ACT RELATIVE TO THE MAINTENANCE OF CONTINUATION
SCHOOLS.

Chap. 401

Be it enacted, etc., as follows:

Section twenty-one of chapter seventy-one of the General Laws is hereby amended by inserting after the word "shall" in the sixth line the words: — , except as otherwise provided in this section, — and by adding at the end thereof the following: — If in a town required to establish continuation schools or courses under this section, after examination of the records required to be kept under sections eighty-six and eighty-nine of chapter one hundred and forty-nine, it appears that in each of two consecutive years the number of employed minors described above falls below two hundred, the school committee of said town may apply to the department for

G. L. 71, § 21,
amended.

Establishment and maintenance of continuation schools or courses of instruction for employed minors.

Exemption of certain cities and towns.

exemption from the provisions of this section, and, if specifically exempted by the department under conditions defined by it, said town shall be deemed to have come under the permissive provisions of this section and shall so remain until two hundred or more such minors in any year are employed therein, — so as to read as follows: — *Section 21.* Every town which has accepted chapter three hundred and eleven of the General Acts of nineteen hundred and nineteen, and in which, in any year, two hundred or more minors under sixteen are employed not less than six hours per day by authority of employment certificates or home permits described in section one of chapter seventy-six, exclusive of minors employed only during vacations, shall, except as otherwise provided in this section, and any other town which has accepted said chapter, may, through its school committee, local board of trustees for vocational education, or both, establish at the beginning of the next school year and maintain continuation schools or courses of instruction for the education of such minors, and for such others as may be required to attend under section twenty-five. The said schools or courses shall be in session the same number of weeks in each year as the local high schools, and the sessions shall be between the hours of eight in the morning and five in the afternoon of any working days except Saturday. If in a town required to establish continuation schools or courses under this section, after examination of the records required to be kept under sections eighty-six and eighty-nine of chapter one hundred and forty-nine, it appears that in each of two consecutive years the number of employed minors described above falls below two hundred, the school committee of said town may apply to the department for exemption from the provisions of this section, and, if specifically exempted by the department under conditions defined by it, said town shall be deemed to have come under the permissive provisions of this section and shall so remain until two hundred or more such minors in any year are employed therein.

Approved May 11, 1922.

Chap. 402 AN ACT RELATIVE TO THE PAYMENT OF WORKMEN'S COMPENSATION IN CASE OF DEATH.

Be it enacted, etc., as follows:

G. L. 152, § 31, amended.

Workmen's compensation,

Chapter one hundred and fifty-two of the General Laws is hereby amended by striking out section thirty-one and inserting in place thereof the following: — *Section 31.* If death re-

sults from the injury, the insurer shall pay the following dependents of the employee wholly dependent upon his earnings for support at the time of his injury compensation as follows: — to the widow, so long as she remains unmarried, sixteen dollars a week if and so long as there are more than two children of the employee who are under the age of eighteen, or over said age and physically or mentally incapacitated from earning, fourteen dollars a week if and so long as there are two such children, twelve dollars a week if and so long as there is one such child, and ten dollars a week if and so long as there is no such child; and, if the widow dies, to such children in equal shares, sixteen dollars a week if and so long as there are more than three such children, fourteen dollars a week if and so long as there are three such children, twelve dollars a week if and so long as there are two such children, and ten dollars a week if and so long as there is one such child; but, if such widow remarries, the aforesaid payments to her shall terminate, and the insurer shall pay each week to each of such children, if and so long as there are more than five, his or her proportionate part of sixteen dollars, and shall pay to each of such children, if and so long as there are five or less, three dollars a week. The period covered by the payments provided for by the foregoing provisions of this section shall not be longer than four hundred weeks. When weekly payments have been made to an injured employee before his death, the compensation under the foregoing provisions of this section shall begin from the date of the last of such payments, but shall not continue more than four hundred weeks from the date of the injury.

payment to dependents of employee, if death results from injury.

Payments to terminate, if widow remarries, etc.

In all other cases of total dependency, the insurer shall pay the dependents of the employee wholly dependent upon his earnings for support at the time of injury a weekly payment equal to two thirds of his average weekly wages, but not more than ten dollars nor less than four dollars a week for a period of five hundred weeks from the date of the injury; but in no case shall the amount be more than four thousand dollars. If the employee leaves dependents only partially dependent upon his earnings for support at the time of his injury, the insurer shall pay such dependents a weekly compensation equal to the same proportion of the weekly payments for the benefit of persons wholly dependent as the amount contributed by the employee to such partial dependents bears to the annual earnings of the deceased at the time of his injury. When weekly payments have been made

Payments in all other cases of total dependency.

to an injured employee before his death, the compensation under this paragraph to dependents shall begin from the date of the last of such payments, but shall not continue more than five hundred weeks from the date of the injury.

Approved May 11, 1922.

Chap. 403 AN ACT EXEMPTING FROM THE TAXATION OF LEGACIES AND SUCCESSIONS CERTAIN PERSONAL PROPERTY WITHIN THE JURISDICTION OF THE COMMONWEALTH BELONGING TO NON-RESIDENTS.

Be it enacted, etc., as follows:

G. L. 65, § 1,
etc., amended.

SECTION 1. Section one of chapter sixty-five of the General Laws, as amended by chapter three hundred and forty-seven of the acts of the current year, is hereby further amended by striking out, in the second line, the word "whether" and by striking out, in the third line, the words "or not" and inserting in place thereof the words: — and all real estate within the commonwealth or any interest therein and all stock in any national bank situated in this commonwealth or in any corporation organized under the laws of this commonwealth belonging to persons who are not inhabitants of the commonwealth, — so that lines one to eighteen, inclusive, will read as follows: — *Section 1.* All property within the jurisdiction of the commonwealth, corporeal or incorporeal, and any interest therein, belonging to inhabitants of the commonwealth, and all real estate within the commonwealth or any interest therein and all stock in any national bank situated in this commonwealth or in any corporation organized under the laws of this commonwealth belonging to persons who are not inhabitants of the commonwealth, which shall pass by will, or by laws regulating intestate succession, or by deed, grant or gift, except in cases of a bona fide purchase for full consideration in money or money's worth, made in contemplation of the death of the grantor or donor or made or intended to take effect in possession or enjoyment after his death, and any beneficial interest therein which shall arise or accrue by survivorship in any form of joint ownership in which the decedent joint owner contributed during his life any part of the property held in such joint ownership or of the purchase price thereof, to any person, absolutely or in trust, except to or for the use of charitable, educational or religious societies or institutions, the property of which is by the laws of the commonwealth exempt from taxation, or for

Taxation of
legacies and
successions.

Exceptions.

or upon trust for any charitable purposes to be carried out within the commonwealth, or to or for the use of the commonwealth or any town therein for public purposes, shall be subject to a tax at the percentage rates fixed by the following table:

SECTION 2. Section four of said chapter sixty-five is hereby amended by striking out, in the first and second lines, the words "passing under section one from any person not an inhabitant of the commonwealth", and inserting in place thereof the words: — of any person not an inhabitant of the commonwealth taxable under section one, — so as to read as follows: — *Section 4.* When the personal estate of any person not an inhabitant of the commonwealth taxable under section one consists in whole or in part of shares in any railroad or street railway company or telegraph or telephone company incorporated under the laws of this commonwealth and also of some other state or country, so much only of each share as is proportional to the part of such company's line lying within this commonwealth shall be considered as property of such person within the jurisdiction of the commonwealth for the purposes of this chapter.

G. L. 65, § 4,
amended.

Tax on shares
of certain cor-
porations in
estates of non-
residents.

SECTION 3. Section five of said chapter sixty-five is hereby amended by inserting after the word "decendent" in the first line, the words: — taxable under section one, — so as to read as follows: — *Section 5.* Property of a non-resident decendent taxable under section one which is within the jurisdiction of the commonwealth at the time of his death, if subject to a tax of like character with that imposed by this chapter by the law of the state or country of his residence, shall be subject only to such part of the tax hereby imposed as may be in excess of the tax imposed by the laws of such other state or country, provided that a like exemption is made by the laws of such other state or country in favor of estates of residents of this commonwealth; but no such exemption shall be allowed until the tax provided for by the law of such other state or country shall be actually paid, guaranteed, or secured in accordance with law.

G. L. 65, § 5,
amended.

Reciprocal ex-
emption to
non-resident
estates.

Proviso.

SECTION 4. Section ten of said chapter sixty-five is hereby repealed.

G. L. 65, § 10,
repealed.

SECTION 5. This act shall apply only to property or interests therein passing or accruing upon the death of persons dying on or after its effective date and to property or interests therein passing by deed, grant or gift completed inter vivos in contemplation of death made on or after said effective

To what prop-
erty or inter-
ests therein act
shall apply,
etc.

date. As to all property and interests therein passing or accruing upon the death of persons who have died prior to said date or passing by deed, grant or gift completed inter vivos in contemplation of death made prior to said date, the laws theretofore applicable shall remain in force.

Approved May 11, 1922.

Chap. 404 AN ACT PROVIDING FOR THE CONSTRUCTION BY THE DEPARTMENT OF PUBLIC WORKS OF AN AIRCRAFT LANDING FIELD ON THE PROPERTY OF THE COMMONWEALTH IN EAST BOSTON AND THE LEASE THEREOF TO THE UNITED STATES.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose and be inconsistent with the public interest, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Division of waterways and public lands may construct aircraft landing field, etc.

SECTION 1. The division of waterways and public lands of the department of public works is hereby authorized and directed to lay out and construct an aircraft landing field on the property owned by the commonwealth near Jeffries Point in East Boston.

May lease field to United States, etc.

SECTION 2. Said division is hereby authorized and directed to lease said landing field to the United States for regulation and operation for a period not exceeding ten years at a nominal annual rental of one dollar; provided, that the United States shall erect thereon hangars and repair shops for military, naval and air mail airplanes, and shall permit under suitable regulations full use of said field by commercial and civilian flyers.

May lease land adjoining field for hangars, etc.

SECTION 3. Said division is also authorized to lease to persons or corporations such additional land, adjoining said field, as the division may determine, for the erection of suitable hangars, repair shops, gasoline tanks and like equipment for the use of commercial and other civilian flyers.

May expend money for certain purposes.

SECTION 4. For the purpose of the laying out and construction of said landing field, as described in section one, and the erection thereon of two hangars to be furnished by the United States for the use of the Massachusetts National Guard, including all incidental expenses for equipping said field, the said division may expend the sum of thirty-five thousand dollars from item six hundred and fifty-six of the general appropriation bill.

SECTION 5. The said division shall make an estimate of the cost of laying out, constructing and equipping said landing field, and of erecting two hangars thereon as provided in the preceding section; and if said estimate shall exceed the sum authorized by said section to be expended thereon, no work shall be done or liabilities incurred until persons or corporations other than the commonwealth shall have deposited with the state treasurer the amount by which said estimate exceeds said sum, or shall have furnished satisfactory guarantees to the commonwealth to reimburse it for all expenditures in excess of said sum.

Deposits by persons, etc., if amount authorized to be expended is insufficient, etc.

SECTION 6. On the completion of the work, any unexpended balance of the sums deposited with the state treasurer in accordance with the preceding section shall be repaid to said persons or corporations in proportion to the amounts contributed by them.

Repayment of unexpended balance of deposits.

Approved May 12, 1922.

AN ACT CONFIRMING THE UNION OF THE STATE STREET BAPTIST CHURCH, THE STATE STREET BAPTIST SOCIETY AND THE FIRST-HIGHLAND BAPTIST CHURCH, ALL OF SPRINGFIELD, WITH THE FIRST BAPTIST CHURCH OF SPRINGFIELD, MASSACHUSETTS.

Chap. 405

Be it enacted, etc., as follows:

SECTION 1. The acts, votes and proceedings of the State Street Baptist Church, an unincorporated association, the State Street Baptist Society and the First-Highland Baptist Church, religious corporations, all in the city of Springfield, which authorized the union of said churches and said society with the First Baptist Church of Springfield, Massachusetts, incorporated under chapter one hundred and twenty-five of the Revised Laws in the year nineteen hundred and twenty, are hereby ratified and confirmed.

First Baptist Church of Springfield, Massachusetts, union of certain religious organizations with, confirmed.

SECTION 2. The records and other books and papers of said constituent churches and of said society shall be the property of said First Baptist Church, of Springfield, Massachusetts, which shall consistently herewith have and enjoy all franchises, powers and privileges of every kind now or formerly belonging to said constituent churches and to said society and shall assume and be subject to all the debts and liabilities thereof.

Powers, privileges, liabilities, etc., of First Baptist Church of Springfield, Massachusetts.

SECTION 3. This act shall take effect upon its passage.

Approved May 12, 1922.

Chap.406 AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO APPOINT A SUPERINTENDENT OF POLICE.

Be it enacted, etc., as follows:

G. L. 28, new section after § 4.

Metropolitan district commission may appoint Herbert W. West as superintendent of police, etc.

Chapter twenty-eight of the General Laws is hereby amended by adding at the end thereof the following new section:— *Section 5.* The commission may appoint Herbert W. West, for twenty-six years a member of its police force, as superintendent of police and, with the approval of the governor and council, fix his salary. Such superintendent shall not be affected as to selection, appointment, or reduction to the rank or grade from which he was appointed, by chapter thirty-one or by any rule established thereunder, but shall otherwise retain all the rights to which he was entitled at the time of his appointment under said chapter and under any pension or retirement laws.

Approved May 12, 1922.

Chap.407 AN ACT GIVING PREFERENCE TO CERTAIN CLAIMS AGAINST INSOLVENT DOMESTIC LIABILITY INSURANCE COMPANIES.

Be it enacted, etc., as follows:

G. L. 175, new section after § 46.

Preference to certain claims against insolvent domestic liability insurance companies.

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section forty-six the following new section:— *Section 46A.* When a domestic stock or mutual company which has made insurance on the liability to pay the compensation provided for by chapter one hundred and fifty-two becomes insolvent, or is unable to pay in full its liabilities as set forth in sections ten and twelve, unpaid losses under its workmen's compensation policies shall, in the distribution of its assets, whether liquidation is effected by a receiver or otherwise, be deemed and treated as preferred over all claims except debts due the United States and debts or taxes due the commonwealth or any city or town thereof.

Approved May 12, 1922.

Chap.408 AN ACT RELATIVE TO THE LIMITATION OF ACTIONS ON POLICIES OF INSURANCE.

Be it enacted, etc., as follows:

G. L. 175, new section after § 187.

Limitation of actions on policies of insurance.

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and eighty-seven the following new section:— *Section 187A.* If a suit or action on a policy of insurance, duly commenced

within the time limited by any valid clause of such policy for commencing suits or actions against the company, shall be enjoined or abated, suit or action may be commenced at any time within one year after the dissolution of such injunction or the abatement of such suit or action, to the same extent as if there were no limitation of time provided in the policy for the bringing of such suit or action.

Approved May 12, 1922.

AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH
TO THE ACQUISITION BY THE UNITED STATES OF CERTAIN
LAND AND BUILDINGS THEREON SITUATED IN THE TOWN
OF RUTLAND. Chap. 409

Be it enacted, etc., as follows:

SECTION 1. The consent of the commonwealth is hereby granted to the United States of America to acquire by purchase a certain tract of land with the buildings thereon, now or formerly owned by The Central New England Sanatorium Inc., situated in the town of Rutland, Worcester county, Massachusetts, and bounded and described as follows, to wit: — Beginning at the northeasterly corner of the premises to be conveyed, on Maple avenue in said town of Rutland, at a stone bound set in the westerly line of said Maple avenue and at the southeasterly corner of land of Joanna K. Prescott; thence south seventy-four degrees twenty-seven minutes west, by land of said Prescott, two thousand three hundred and thirty-five and thirty-seven one hundredths feet to a stone bound at land of Peter Stenwick; thence south twelve degrees fifty-seven minutes east, nine hundred three and twenty-eight one hundredths feet to a stone bound; thence south fourteen degrees, seven hundred and ninety-two feet to a stone bound at land of Lestina M. Kehoe, the last two described lines being by land of said Stenwick; thence north seventy-four degrees thirty-six minutes east, two hundred fifty-five and two one hundredths feet to a stone bound; thence north seventy-five degrees forty minutes east, nine hundred twenty and thirty-one one hundredths feet to a stone bound, the last two described lines being by land of said Kehoe; thence north seventy-five degrees seven minutes east, by land of said Kehoe and land of James H. Wesson, five hundred eighty and eighty-eight one hundredths feet to a stone bound at a corner of land of George N. Lapham; thence north thirteen degrees fifty-six minutes west, four

Consent of
commonwealth
to acquisition
by United
States of cer-
tain land and
buildings
thereon in town
of Rutland.

hundred and fifty-four one hundredths feet to a stone bound; thence north eighty-four degrees twenty-six minutes east, two hundred ninety-five and fifty-eight one hundredths feet to a stone bound; thence north seventy-seven degrees fifty-eight minutes east, two hundred twenty-five and fifty-two one hundredths feet to a stone bound at a corner of other land of the grantor, the last three described lines being by land of said Lapham; thence north sixteen degrees forty-three minutes west, three hundred sixteen and ninety-four one hundredths feet to a stone bound; thence north seventy-three degrees seventeen minutes east, one hundred thirty-three and sixty-nine one hundredths feet to a stone bound at said westerly line of Maple avenue, the last two described lines being by other land of the grantor; thence north sixteen degrees twenty-eight minutes west, by said westerly line of Maple avenue, two hundred ninety-one and eighty-nine one hundredths feet to a corner of other land of the grantor; thence south seventy-three degrees fifty-eight minutes west, seven hundred seventy-five and three tenths feet to a stone bound; thence north fifteen degrees sixteen minutes west, three hundred eighty and twenty-three one hundredths feet to a stone bound; thence north sixty-two degrees forty-seven minutes east, one hundred six and one one hundredths feet to a stone bound; thence north seventy-three degrees fifty-eight minutes east, four hundred and sixty-eight feet to a stone bound; thence north eighty-four degrees thirty-three minutes east, two hundred and one tenth feet to a stone bound at said westerly line of Maple avenue, the last five described lines being by other land of the grantor; thence north sixteen degrees sixteen minutes west, by said westerly line of Maple avenue, four hundred eight and seventy-eight one hundredths feet to the place of beginning.

Jurisdiction
over said land
ceded to
United States
with certain
conditions.

SECTION 2. Jurisdiction over said tract of land is hereby granted and ceded to the United States of America, but upon the express condition that this commonwealth shall retain concurrent jurisdiction with the United States of America in and over the tract of land so acquired, in so far that all civil processes, and such criminal processes as may issue under the authority of this commonwealth against any person or persons charged with crimes committed without said tract of land, may be executed thereon in the same manner as though this consent and cession had not been granted.

Approved May 12, 1922.

AN ACT ESTABLISHING THE BELCHERTOWN STATE SCHOOL *Chap. 410*
FOR THE CARE AND CUSTODY OF FEEBLE MINDED PER-
SONS.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Belchertown the Belchertown State School, for the care and custody of feeble minded persons.

Belchertown
State School,
established.

SECTION 2. Section five of chapter nineteen of the General Laws is hereby amended by inserting after the word "department" in the second line the words: — Belchertown state school, — so as to read as follows: — *Section 5.* The boards of trustees of the following public institutions shall serve in the department: Belchertown state school, Boston psychopathic hospital, Boston state hospital, Danvers state hospital, Foxborough state hospital, Gardner state colony, Grafton state hospital, Massachusetts school for the feeble-minded, Medfield state hospital, Monson state hospital, Norfolk state hospital, Northampton state hospital, Taunton state hospital, Westborough state hospital, Worcester state hospital and Wrentham state school.

G. L. 19, § 5,
amended.

Boards of trustees of public institutions in department of mental diseases.

SECTION 3. Section six of said chapter nineteen, as amended by section two of chapter four hundred and forty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "council" in the tenth line the words: — ; provided, that the initial appointments of members of the board of trustees of the Belchertown state school shall be so made by the governor, with the advice and consent of the council, that the term of one such member shall expire on the first Wednesday of February in each year from nineteen hundred and twenty-three to nineteen hundred and twenty-nine, both inclusive, — so as to read as follows: — *Section 6.* The board of trustees for each of the institutions mentioned in the preceding section, except the Massachusetts School for the Feeble-Minded, shall consist of seven members; provided, that at least two of such members shall be women, except in the case of the Norfolk state hospital. One member of each board, except as aforesaid, shall annually in January be appointed for seven years from the first Wednesday of the following February by the governor, with the advice and consent of the council; provided, that the initial appointments of members of the board of trustees of the Belchertown state school shall be so made

G. L. 19, § 6,
etc., amended.

Boards of trustees of public institutions, number, appointment, etc.
Proviso.

by the governor, with the advice and consent of the council, that the term of one such member shall expire on the first Wednesday of February in each year from nineteen hundred and twenty-three to nineteen hundred and twenty-nine, both inclusive. The board of trustees of the Massachusetts School for the Feeble-Minded shall consist of six members on the part of the commonwealth, one of whom shall annually be appointed for six years by the governor, with the advice and consent of the council, and of six members to be elected by the school, subject to the approval of the governor and council. All the above trustees shall serve without compensation, but shall be reimbursed for all expenses incurred in the performance of their duties.

G. L. 123, § 20,
etc., amended.

Department of
mental dis-
eases, general
power to trans-
fer inmates of
institutions,
etc.

SECTION 4. Section twenty of chapter one hundred and twenty-three of the General Laws, as amended by section two of chapter three hundred and seventeen of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "Feeble-Minded" in the seventeenth line, the words: — or the Belchertown state school, — so as to read as follows: — *Section 20.* The department, subject to the following section, may transfer to and from any institution any inmate thereof who, in its opinion, is a proper subject for admission to the institution to which he is to be transferred; but no such inmate shall be transferred to be detained as an insane person unless he has been duly committed as insane by a judge or court, and no person shall be so transferred to the Bridgewater state hospital unless he has been a criminal and vicious in his life. A record of such transfer shall be entered in the registers of the institutions to and from which he is transferred. The commitment papers, together with an abstract of his hospital case record, shall be transmitted with him to the institution to which he is transferred. The department, subject to section eighteen of chapter one hundred and twenty, may transfer persons from the Massachusetts training schools to the Hospital Cottages for Children or to the Massachusetts School for the Feeble-Minded or the Belchertown state school. The department may also remove any state charge in any state hospital to any country, state or place where he belongs, and may enter into an agreement with the corresponding board or commission of any other state for the transfer of any state charge or indigent insane person from one state to the other where, after a full investigation of all the facts, he may be deemed equitably to belong; but no such person shall be removed

outside this commonwealth if he is subject to the orders of a court of this commonwealth, except that any such person who is subject to such orders may be so removed from Bridgewater state hospital at any time when he would have been entitled to parole if he had not become insane. In making such transfers and removals the department, so far as practicable, shall employ nurses or attendants instead of officers of the law, and shall employ female nurses or attendants to accompany female patients.

SECTION 5. Section twenty-five of said chapter one hundred and twenty-three is hereby amended by inserting after the word "hospital" in the seventh line, the words: — , Belchertown state school, — so as to read as follows: — *Section 25.* The state institutions under the control of the department shall be Worcester state hospital, Taunton state hospital, Northampton state hospital, Danvers state hospital, Grafton state hospital, Westborough state hospital, Foxborough state hospital, Medfield state hospital, Monson state hospital, Gardner state colony, Wrentham state school, Boston state hospital, Norfolk state hospital, Massachusetts school for the feeble-minded, Boston psychopathic hospital, Belchertown state school, and such others as may hereafter be added by authority of law.

G. L. 123, § 25, amended.

List of state institutions under control of department of mental diseases.

SECTION 6. Section forty-five of said chapter one hundred and twenty-three is hereby amended by inserting after the word "feeble-minded" in the first line the words: — , the Belchertown state school, — so as to read as follows: — *Section 45.* The Massachusetts school for the feeble-minded, the Belchertown state school and the Wrentham state school shall each maintain a school department for the instruction and education of feeble minded persons who are within the school age or who in the judgment of the trustees thereof are capable of being benefited by school instruction, and a custodial department for the care and custody of feeble minded persons beyond the school age or not capable of being benefited by school instruction.

G. L. 123, § 45, amended.

School departments at certain state institutions for education, care, etc., of feeble minded persons.

SECTION 7. Section forty-six of said chapter one hundred and twenty-three is hereby amended by inserting after the word "feeble-minded" in the second line, the words: — , by the Belchertown state school, — so as to read as follows: — *Section 46.* Persons received by the Massachusetts school for the feeble-minded, by the Belchertown state school and by the Wrentham state school shall be classified in said departments as the trustees shall see fit, and the trustees may

G. L. 123, § 46, amended.

Reception and classification of pupils in said departments.

receive and discharge pupils, and may at any time discharge any pupil or other inmate and cause him to be removed to his home.

G. L. 123, § 51,
amended.

Order of com-
mitment of in-
sane persons to
certain state
hospitals.

SECTION 8. Section fifty-one of said chapter one hundred and twenty-three is hereby amended by inserting after the word "feeble-minded" in the third line, the words: — , the Belchertown state school, — so as to read as follows: — *Section 51.* No person shall be committed to any institution for the insane designated under or described in section ten, except the Massachusetts school for the feeble-minded, the Belchertown state school and the Wrentham state school, unless there has been filed with the judge a certificate in accordance with section fifty-three of the insanity of such person by two properly qualified physicians, nor without an order therefor, signed by a judge named in the preceding section stating that he finds that the person committed is insane and is a proper subject for treatment in a hospital for the insane, and either that he has been an inhabitant of the commonwealth for the six months immediately preceding such finding or that provision satisfactory to the department has been made for his maintenance or that by reason of insanity he would be dangerous if at large. The order of commitment shall also authorize the custody of the insane person either at the institution to which he shall first be committed or at some other institution to which he may be transferred. Said judge shall see and examine the alleged insane person, or state in his final order the reason why it was not considered necessary or advisable so to do. The hearing, unless a jury is summoned, shall be at such place as the judge shall appoint. In all cases he shall certify in what place the insane person resided or was at the time of his commitment; or, if the commitment is ordered by a court under section one hundred or one hundred and one the court shall certify in what place the insane person resided or was at the time of the arrest upon the charge for which he was held to answer before such court. Such certificate shall, for the purposes of the preceding section, be conclusive evidence of the residence of the person committed.

G. L. 123, § 66,
amended.

Order of com-
mitment to
certain insti-

SECTION 9. Section sixty-six of said chapter one hundred and twenty-three is hereby amended by inserting after the word "feeble-minded" in the third line the words: — , the Belchertown state school, — so as to read as follows: — *Section 66.* Any judge of probate, within his county, upon written application, if he finds that a person residing or being

within said county is a proper subject for the Massachusetts school for the feeble-minded, the Belchertown state school or the Wrentham state school, may commit him thereto by an order of commitment, directed to the trustees thereof, made in accordance with section fifty-one, and accompanied by a certificate in accordance with section fifty-three by a physician, qualified as therein provided, that such person is a proper subject for said school, and all provisions of said section shall apply to such certificate. The order of commitment shall also direct the sheriff, deputy sheriff, constable, police officer, or other person to apprehend and convey the said person to the school to which he has been committed. Unless the person sought to be committed is present at the time of the hearing, or the application is made by some one legally entitled to his custody, notice of the application and of the time and place of hearing shall be given to the person sought to be committed, and the order of commitment shall state what notice was given or the finding of facts which made notice unnecessary, and shall authorize custody of the person until he shall be discharged by order of a court or otherwise in accordance with law.

SECTION 10. Section sixty-seven of said chapter one hundred and twenty-three is hereby amended by inserting after the word "feeble-minded" in the first and second lines, the words: —, the Belchertown state school, — and by inserting after the word "county" the first time it occurs in the ninth line the words: —, for Hampshire county, — so as to read as follows: — *Section 67.* If an inmate of the Massachusetts school for the feeble-minded, the Belchertown state school or the Wrentham state school has reached the limit of school age, or if in the judgment of the trustees he is incapable of being further benefited by school instruction, or if the question of the commitment to or continuance in either of the said schools of any inmate, including inmates who may have been transferred from one department to another of such school, under section forty-six, is in the opinion of the trustees and of the department a proper subject for judicial inquiry, the probate court for Middlesex county, for Hampshire county or for Norfolk county, respectively, upon the written petition of said trustees, or of said department, or of any member of either body, and after such notice as the court may order, may, in its discretion, order such inmate to be brought before the court, and shall determine whether or not he is a feeble minded person, and may commit him to such school or either

tutions for feeble minded persons.

G. L. 123, § 67, amended.

Judicial inquiry as to commitment or discharge of inmates of certain institutions for feeble minded persons.

department thereof, or may order him to be discharged therefrom.

G. L. 123, § 91,
amended.

Application for
discharge from
institutions for
insane or
feeble minded
persons.

SECTION 11. Section ninety-one of said chapter one hundred and twenty-three is hereby amended by inserting after the word "feeble-minded" in the eighth line, the words: — , of the Belchertown state school, — so as to read as follows: —
Section 91. Any person may make written application to a justice of the supreme judicial court at any time and in any county, stating that he believes or has reason to believe that a person named in such application is confined as an insane person in an institution or other place, public or private, and ought not longer to be so confined, giving the names of all persons supposed to be interested in keeping him in confinement, and requesting his discharge. Such an application may likewise be made by any inmate of the Massachusetts school for the feeble-minded, of the Belchertown state school or of the Wrentham state school, or by any person in his behalf.

G. L. 123, § 93,
amended.

Discharge if
not insane,
feeble minded
or dangerous,
etc.

SECTION 12. Section ninety-three of said chapter one hundred and twenty-three is hereby amended by inserting after the word "feeble-minded" in the fifth line the words: — , of the Belchertown state school, — so as to read as follows: —
Section 93. If it appears upon the verdict of the jury, or in the opinion of the justice if the case is not submitted to a jury, that the person so confined is not insane, or that he is not dangerous to himself or others and ought not longer to be so confined, or in case of an inmate of the Massachusetts school for the feeble-minded, of the Belchertown state school or of the Wrentham state school, either that such inmate is not feeble minded, or that continued custody of his person is unnecessary and unreasonable, or that he can be discharged with safety to himself and the public, and will be cared for properly elsewhere, he shall be discharged from confinement.

Time of taking
effect of cer-
tain provisions
of act relating
to Belchertown
state school.

Governor's
proclamation.

SECTION 13. The provisions of this act relative to the commitment of feeble minded persons to, the reception, custody, care, treatment and support of such persons at, and the discharge of such persons from, the Belchertown state school shall not take effect until such school is ready for the reception of the feeble minded; and such time shall be fixed by proclamation of the governor in accordance with a notification from the trustees of such school or from the department of mental diseases.

Approved May 12, 1922.

AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO THE DISPOSITION OF UNCLAIMED MONEY BY RECEIVERS OF INSOLVENT SAVINGS BANKS AND TRUST COMPANIES. Chap. 411

Be it enacted, etc., as follows:

Section twenty-one of chapter one hundred and sixty-seven of the General Laws is hereby repealed. G. L. 167, § 21, repealed.

Approved May 12, 1922.

AN ACT AUTHORIZING THE CITY OF LAWRENCE TO PENSION FANNIE L. LEE. Chap. 412

Be it enacted, etc., as follows:

SECTION 1. The city of Lawrence may pay to Fannie L. Lee, formerly a school teacher of said city, an annual pension not exceeding six hundred dollars. City of Lawrence may pension Fannie L. Lee.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year. To be submitted to city council, etc. Proviso.

Approved May 12, 1922.

AN ACT RELATIVE TO THE PAYMENT OF TUITION OF NON-RESIDENT PUPILS ATTENDING CONTINUATION SCHOOLS AND STATE REIMBURSEMENT THEREFOR. Chap. 413

Be it enacted, etc., as follows:

Section twenty-four of chapter seventy-one of the General Laws is hereby amended by adding at the end thereof the following: — The town of residence of a person who is required by section twenty-two to attend a continuation school of another town shall pay to such other town a tuition fee to be fixed by the commissioner of education, and not to exceed the average annual maintenance cost per pupil of continuation schools throughout the commonwealth, as last ascertained. In default of payment, such fee may be recovered in an action of contract. The commonwealth shall pay to towns paying claims for tuition under this section one half the sums so expended, — so as to read as follows: — *Section 24.* Towns maintaining such schools or courses as are approved by the department as to organization, control, situation, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission, employment of pupils and expenditures of money, shall be reimbursed by G. L. 71, § 24, amended.

State reimbursement for continuation schools.

Payment of
tuition of
non-resident
pupils, etc.

the commonwealth for one half the sum raised by local taxation and expended for their maintenance. The town of residence of a person who is required by section twenty-two to attend a continuation school of another town shall pay to such other town a tuition fee to be fixed by the commissioner of education, and not to exceed the average annual maintenance cost per pupil of continuation schools throughout the commonwealth, as last ascertained. In default of payment, such fee may be recovered in an action of contract. The commonwealth shall pay to towns paying claims for tuition under this section one half the sums so expended.

Approved May 12, 1922.

Chap.414 AN ACT AUTHORIZING THE CITY OF LYNN TO PENSION
TERRENCE MCGOVERN.

Be it enacted, etc., as follows:

City of Lynn
may pension
Terrence
McGovern.

SECTION 1. The city of Lynn may retire Terrence McGovern, who has been for over twenty-three years in the employ of its health department as a laborer and has reached the age of sixty-two years, on an annual pension equal to one half the average annual compensation paid him for the three years previous to February fourteenth, nineteen hundred and twenty-two, the date he last worked for the city.

To be sub-
mitted to city
council, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved May 12, 1922.

Chap.415 AN ACT AUTHORIZING THE CITY OF MELROSE TO PENSION
JOSEPH EDWARDS.

Be it enacted, etc., as follows:

City of Mel-
rose may pen-
sion Joseph
Edwards.

SECTION 1. The city of Melrose may pay to Joseph Edwards, who has been a member of its fire department for forty-five years and chief of said department for twenty years and who is now to be retired, having reached the age of seventy years, an annual pension not exceeding one half his compensation at the time of retirement.

To be sub-
mitted to board
of aldermen, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of aldermen of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved May 12, 1922.

AN ACT RELATIVE TO CLAIMS FOR MATERIALS EMPLOYED IN THE CONSTRUCTION OR REPAIR OF PUBLIC BUILDINGS AND OTHER PUBLIC WORKS. Chap. 416

Be it enacted, etc., as follows:

Section thirty-nine of chapter thirty of the General Laws is hereby amended by inserting after the word "used" in the fifth line the words: — or employed, — so as to read as follows: — *Section 39.* Officers or agents contracting in behalf of the commonwealth for the construction or repair of public buildings or other public works shall obtain sufficient security, by bond or otherwise, for payment by the contractor and sub-contractors for labor performed or furnished and for materials used or employed in such construction or repair; but in order to obtain the benefit of such security, the claimant shall file with such officers or agents a sworn statement of his claim, within sixty days after the completion of the work.

G. L. 30, § 39, amended.

Security against mechanics' liens on public buildings, etc.

Approved May 12, 1922.

AN ACT RELATIVE TO THE ENFORCEMENT OF THE INSURANCE LAWS. Chap. 417

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and ninety-three the following new section: — *Section 193A.* The superior court shall have jurisdiction in equity, upon an information filed by the attorney general at the relation of the commissioner, to restrain all violations of this chapter and to enforce compliance with the provisions thereof and payment of all fines, forfeitures or penalties provided thereby. The remedy herein provided shall be in addition to all other remedies otherwise provided by law or by this chapter, and not in substitution therefor.

G. L. 175, new section after § 193.

Superior court may enforce insurance laws, etc.

SECTION 2. Section one hundred and fifty-nine of said chapter one hundred and seventy-five is hereby amended by striking out the last sentence thereof, so as to read as follows: — *Section 159.* If by the laws of any other state any taxes, fines, penalties, licenses, fees, deposits or other obligations or prohibitions, additional to or in excess of those imposed by the laws of this commonwealth upon foreign companies and their agents, are imposed on domestic companies and their agents doing business in such state, like obligations

G. L. 175, § 159, amended.

Reciprocal obligations, etc., imposed upon foreign insurance companies doing business in Massachusetts.

and prohibitions shall be imposed upon all companies of such state and their agents doing business in this commonwealth so long as such laws remain in force.

Approved May 12, 1922.

Chap.418 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, FOR CERTAIN PERMANENT IMPROVEMENTS, AND GRANTING A COUNTY TAX FOR SAID COUNTIES.

Emergency preamble. *Whereas,* The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Appropriations for maintenance of certain counties, interest, sinking fund and bond requirements, and certain improvements, and county tax granted. SECTION 1. The following sums are hereby appropriated for the counties hereinafter specified for the year nineteen hundred and twenty-two. No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners and with the approval of the director of accounts.

SECTION 2.

Barnstable County.

<i>Item</i>		
<i>Appropriations, etc., and county tax, Barnstable.</i>	1	For interest on county debt, a sum not exceeding nine thousand seven hundred dollars \$9,700 00
	2	For reduction of county debt, a sum not exceeding thirty-one thousand one hundred ninety-two dollars and thirty-one cents 31,192 31
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding twelve thousand five hundred dollars 12,500 00
	4	For clerical assistance in county offices, a sum not exceeding three thousand dollars 3,000 00
	5	For salaries and expenses of district courts, a sum not exceeding eleven thousand dollars 11,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seven thousand five hundred dollars 7,500 00
	7	For criminal costs in the superior court, a sum not exceeding eight thousand five hundred dollars 8,500 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding three thousand dollars 3,000 00

Item		Appropriations, etc., and county tax, Barnstable.
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	\$1,000 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding two thousand dollars	2,000 00
12	For auditors, masters and referees, a sum not exceeding one thousand dollars	1,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding five thousand dollars	5,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seven thousand five hundred dollars	7,500 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding seventeen thousand dollars	17,000 00
19	For county aid to agriculture, a sum not exceeding six thousand dollars	6,000 00
20	For the infirmary, a sum not exceeding forty-two thousand dollars	42,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand dollars	2,000 00
24	For a reserve fund, a sum not exceeding two thousand dollars	2,000 00
And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred twenty-five thousand one hundred twenty-five dollars and eighty-six cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		\$125,125 86

Berkshire County.

1	For interest on county debt, a sum not exceeding five thousand five hundred dollars	\$5,500 00	Appropriations, etc., and county tax, Berkshire.
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-one thousand dollars	21,000 00	
4	For clerical assistance in county offices, a sum not exceeding eight thousand dollars	8,000 00	
5	For salaries and expenses of district courts, a sum not exceeding thirty-five thousand dollars	35,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twenty-nine thousand dollars	29,000 00	

Appropriations, etc., and county tax, Berkshire.	Item		
	7	For criminal costs in the superior court, a sum not exceeding ten thousand dollars	\$10,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding seven thousand five hundred dollars	7,500 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding four thousand five hundred dollars	4,500 00
	12	For auditors, masters and referees, a sum not exceeding two thousand dollars	2,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding six thousand dollars	6,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding eleven thousand dollars	11,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred thousand dollars	100,000 00
	17	For law libraries, a sum not exceeding one thousand dollars	1,000 00
	18	For training school, a sum not exceeding one thousand five hundred dollars	1,500 00
	19	For county aid to agriculture, a sum not exceeding twelve thousand dollars	12,000 00
	20	For the sanatorium (Hampshire county), a sum not exceeding five hundred dollars	500 00
	21	For the care and maintenance of Greylock state reservation, a sum not exceeding five thousand dollars	5,000 00
		For the care and maintenance of Mount Everett state reservation, a sum not exceeding one thousand dollars	1,000 00
	22	For pensions, a sum not exceeding two thousand dollars	2,000 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding six thousand dollars	6,000 00
	24	For a reserve fund, a sum not exceeding three thousand dollars.	3,000 00
		And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred forty-five thousand nine hundred twenty-six dollars and forty-eight cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$245,926 48

Bristol County.

Item		Appropriations, etc., and county tax, Bristol.
1	For interest on county debt, a sum not exceeding thirty-two thousand dollars	\$32,000 00
2	For reduction of county debt, a sum not exceeding seventy-four thousand dollars	74,000 00
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-eight thousand dollars	38,000 00
4	For clerical assistance in county offices, a sum not exceeding forty-two thousand dollars	42,000 00
5	For salaries and expenses of district courts, a sum not exceeding ninety thousand dollars	90,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred thousand dollars	100,000 00
7	For criminal costs in the superior court, a sum not exceeding twenty-five thousand dollars	25,000 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding thirty thousand dollars	30,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars	12,000 00
12	For auditors, masters and referees, a sum not exceeding five thousand dollars	5,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding fourteen thousand dollars	14,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fifty-two thousand dollars	52,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding sixty-five thousand dollars	65,000 00
17	For law libraries, a sum not exceeding seven thousand dollars	7,000 00
18	For training school, a sum not exceeding eighteen thousand dollars	18,000 00
19	For the agricultural school, a sum not exceeding fifty thousand dollars	50,000 00
22	For pensions, a sum not exceeding four thousand five hundred dollars	4,500 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand five hundred dollars	2,500 00
24	For a reserve fund, a sum not exceeding six thousand dollars	6,000 00

Item	
Appropriations, etc., and county tax, Bristol.	And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred forty-nine thousand five hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes \$549,500 00

County of Dukes County.

Appropriations, etc., and county tax, Dukes County.	1	For interest on county debt, a sum not exceeding one thousand five hundred dollars	\$1,500 00
	2	For reduction of county debt, a sum not exceeding two thousand eight hundred thirty-one dollars and seventy-five cents	2,831 75
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding three thousand seven hundred sixty-three dollars	3,763 00
	4	For clerical assistance in county offices, a sum not exceeding six hundred dollars	600 00
	5	For salaries and expenses of district courts, a sum not exceeding one thousand six hundred dollars	1,600 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding six hundred dollars	600 00
	7	For criminal costs in the superior court, a sum not exceeding five hundred dollars	500 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding eight hundred dollars	800 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding seventy dollars	70 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding three hundred dollars	300 00
	12	For auditors, masters and referees, a sum not exceeding three hundred dollars	300 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding five hundred dollars	500 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding one thousand three hundred dollars	1,300 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding two thousand dollars	2,000 00
	22	For pensions, a sum not exceeding two hundred forty dollars	240 00

Item		Appropriations, etc., and county tax, Dukes County.
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five hundred dollars	\$500 00
24	For a reserve fund, a sum not exceeding three hundred and fifty dollars	350 00
And the county commissioners of the county of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of sixteen thousand two hundred eighty-six dollars and thirty-seven cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		
		\$16,286 37

Essex County.

		Appropriations, etc., and county tax, Essex.
1	For interest on county debt, a sum not exceeding eighty-three thousand dollars	\$83,000 00
2	For reduction of county debt, a sum not exceeding one hundred fifty-five thousand dollars	155,000 00
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding fifty thousand dollars	50,000 00
4	For clerical assistance in county offices, a sum not exceeding sixty-eight thousand dollars	68,000 00
5	For salaries and expenses of district courts, a sum not exceeding one hundred thirty-five thousand dollars	135,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding sixty-three thousand dollars	63,000 00
7	For criminal costs in the superior court, a sum not exceeding fifty-five thousand dollars	55,000 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding seventy thousand dollars	70,000 00
9	For trial justices, a sum not exceeding six thousand dollars	6,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand one hundred dollars	1,100 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars	12,000 00
11a	For bills of previous year of medical examiners, inquests, and commitments of the insane, a sum not exceeding three hundred ninety-one dollars	391 00
12	For auditors, masters and referees, a sum not exceeding nine thousand dollars	9,000 00

Appropriations, etc., and county tax, Essex.	Item		
	14	For repairing, furnishing and improving county buildings, a sum not exceeding twenty-five thousand seven hundred dollars	\$25,700 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixty-eight thousand two hundred dollars	68,200 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding three hundred twenty-two thousand dollars	322,000 00
	17	For law libraries, a sum not exceeding six thousand dollars	6,000 00
	18	For training school, a sum not exceeding fifty-four thousand dollars	54,000 00
	19	For the maintenance of the independent agricultural school, a sum not exceeding one hundred thousand dollars	100,000 00
	19a	For the equipment of the independent agricultural school, a sum not exceeding four thousand five hundred dollars	4,500 00
	22	For pensions, a sum not exceeding five thousand five hundred dollars	5,500 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand one hundred ninety-seven dollars and seventy-seven cents	4,197 77
	24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
		And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million twenty-six thousand seven hundred ninety-one dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$1,026,791 00

Franklin County.

Appropriations, etc., and county tax, Franklin.			
	1	For interest on county debt, a sum not exceeding three thousand dollars	\$3,000 00
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirteen thousand two hundred thirty-five dollars and thirty cents	13,235 30
	4	For clerical assistance in county offices, a sum not exceeding four thousand nine hundred forty dollars	4,940 00
	5	For salaries and expenses of district courts, a sum not exceeding twelve thousand dollars	12,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seventeen thousand dollars	17,000 00

Item		Appropriations, etc., and county tax, Franklin.
7	For criminal costs in the superior court, a sum not exceeding two thousand five hundred dollars . . .	\$2,500 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding nine thousand and five hundred dollars . . .	9,500 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding two hundred and fifty dollars . . .	250 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding one thousand five hundred dollars . . .	1,500 00
12	For auditors, masters and referees, a sum not exceeding seven hundred dollars . . .	700 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding one thousand five hundred dollars . . .	1,500 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seven thousand dollars . . .	7,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding sixty-two thousand dollars . . .	62,000 00
17	For law libraries, a sum not exceeding two hundred dollars . . .	200 00
19	For county aid to agriculture, a sum not exceeding seven thousand five hundred dollars . . .	7,500 00
20	For sanatorium (Hampshire county), a sum not exceeding five thousand dollars . . .	5,000 00
21	For Mount Sugar Loaf state reservation, a sum not exceeding one thousand eight hundred dollars . . .	1,800 00
22	For pensions, a sum not exceeding four hundred eighty dollars . . .	480 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three hundred forty-eight dollars and forty-two cents . . .	348 42
24	For a reserve fund, a sum not exceeding three thousand dollars . . .	3,000 00
	And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred thirty-two thousand forty dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes . . .	\$132,040 00

Hampden County.

1	For interest on county debt, a sum not exceeding eighteen thousand dollars . . .	\$18,000 00	Appropriations, etc., and county tax, Hampden.
2	For reduction of county debt, a sum not exceeding seventeen thousand dollars . . .	17,000 00	

Appropriations, etc., and county tax, Hampden.	Item		
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-seven thousand dollars	\$37,000 00
	4	For clerical assistance in county offices, a sum not exceeding thirty-two thousand dollars	32,000 00
	5	For salaries and expenses of district courts, a sum not exceeding sixty-five thousand dollars	65,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding sixty thousand dollars	60,000 00
	7	For criminal costs in the superior court, a sum not exceeding thirty-five thousand dollars	35,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding forty-two thousand dollars	42,000 00
	9	For trial justices, a sum not exceeding eight hundred dollars	800 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding ten thousand dollars	10,000 00
	12	For auditors, masters and referees, a sum not exceeding thirteen thousand dollars	13,000 00
	13	For building county buildings, a sum not exceeding three thousand dollars	3,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding twelve thousand dollars	12,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding forty-five thousand dollars	45,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred ten thousand dollars	110,000 00
	17	For law libraries, a sum not exceeding six thousand dollars	6,000 00
	18	For training school, a sum not exceeding forty thousand dollars	40,000 00
	19	For county aid to agriculture, a sum not exceeding twenty-six thousand dollars	26,000 00
	20	For sanatorium (Hampshire county), a sum not exceeding nine thousand five hundred fifty-nine dollars and thirty-one cents	9,559 31
	21	For Mount Tom state reservation, a sum not exceeding seven thousand five hundred dollars	7,500 00
	22	For pensions, a sum not exceeding three thousand five hundred dollars	3,500 00

Item		Appropriations, etc., and county tax, Hampden.
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding ten thousand five hundred fifty-five dollars and nine cents	\$10,555 09
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
	And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of four hundred ninety thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$490,000 00

Hampshire County.

		Appropriations, etc., and county tax, Hampshire.
1	For interest on county debt, a sum not exceeding two thousand five hundred dollars	\$2,500 00
2	For reduction of county debt, a sum not exceeding seventeen thousand dollars	17,000 00
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding seventeen thousand dollars	17,000 00
4	For clerical assistance in county offices, a sum not exceeding six thousand five hundred dollars	6,500 00
5	For salaries and expenses of district courts, a sum not exceeding eighteen thousand dollars	18,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifteen thousand dollars	15,000 00
7	For criminal costs in the superior court, a sum not exceeding ten thousand dollars	10,000 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding six thousand five hundred dollars	6,500 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding seven hundred dollars	700 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding three thousand dollars	3,000 00
12	For auditors, masters and referees, a sum not exceeding one thousand five hundred dollars	1,500 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding five thousand dollars	5,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding eleven thousand dollars	11,000 00

Appropriations, etc., and county tax, Hampshire.	Item		
	16	For highways, including state highways, bridges and land damages, a sum not exceeding eighty-five thousand dollars	\$85,000 00
	17	For law libraries, a sum not exceeding one thousand two hundred dollars	1,200 00
	19	For county aid to agriculture, a sum not exceeding seven thousand dollars	7,000 00
	20	For the sanatorium, a sum not exceeding five thousand dollars	5,000 00
	21	For Mount Tom state reservation, a sum not exceeding one thousand five hundred dollars	1,500 00
	22	For pensions, a sum not exceeding eight hundred dollars	800 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand dollars	2,000 00
	24	For a reserve fund, a sum not exceeding five thousand dollars	5,000 00
		And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred twenty-four thousand sixty-eight dollars and fifty-one cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$124,068 51

Middlesex County.

Appropriations, etc., and county tax, Middlesex.			
	1	For interest on county debt, a sum not exceeding forty thousand dollars	\$40,000 00
	2	For reduction of county debt, a sum not exceeding thirty-one thousand five hundred dollars	31,500 00
	3	For salaries of county officers and assistants, fixed by law, a sum not exceeding sixty-three thousand dollars	63,000 00
	4	For clerical assistance in county offices, a sum not exceeding one hundred fifty-one thousand dollars	151,000 00
	5	For salaries and expenses of district courts, a sum not exceeding one hundred eighty-six thousand dollars	186,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred thirty thousand dollars	130,000 00
	7	For criminal costs in the superior court, a sum not exceeding one hundred ten thousand dollars	110,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding one hundred thirty-five thousand dollars	135,000 00

Item		Appropriations, etc., and county tax, Middlesex.
9	For trial justices, a sum not exceeding one thousand dollars	\$1,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars	1,500 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding thirty thousand dollars	30,000 00
12	For auditors, masters and referees, a sum not exceeding eighteen thousand dollars	18,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding sixty-five thousand dollars	65,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding one hundred ten thousand dollars	110,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding three hundred thousand dollars	300,000 00
17	For law libraries, a sum not exceeding seven thousand dollars	7,000 00
18	For training school, a sum not exceeding fifty thousand dollars	50,000 00
19	For county aid to agriculture, a sum not exceeding thirty-five thousand dollars	35,000 00
22	For pensions, a sum not exceeding twenty thousand dollars	20,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand dollars	5,000 00
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
And the county commissioners of Middlesex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million three hundred nineteen thousand eight hundred twenty-five dollars and forty-eight cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		\$1,319,825 48

Norfolk County.

1	For interest on county debt, a sum not exceeding thirty-five thousand five hundred dollars	\$35,500 00	Appropriations, etc., and county tax, Norfolk.
2	For reduction of county debt, a sum not exceeding twenty-three thousand nine hundred dollars	23,900 00	
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty thousand dollars	30,000 00	

Appropriations, etc., and county tax, Norfolk.	Item		
	4	For clerical assistance in county offices, a sum not exceeding forty-five thousand dollars . . .	\$45,000 00
	5	For salaries and expenses of district courts, a sum not exceeding sixty-five thousand dollars . . .	65,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty-eight thousand dollars . . .	38,000 00
	7	For criminal costs in the superior court, a sum not exceeding thirty thousand dollars . . .	30,000 00
	8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding thirty thousand dollars . . .	30,000 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding two thousand dollars . . .	2,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding nine thousand five hundred dollars . . .	9,500 00
	12	For auditors, masters and referees, a sum not exceeding four thousand dollars . . .	4,000 00
	13	For building county buildings, a sum not exceeding five thousand dollars . . .	5,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding five thousand dollars . . .	5,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fifty thousand dollars . . .	50,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred fifty-four thousand dollars . . .	154,000 00
	18	For training school, a sum not exceeding nine thousand dollars . . .	9,000 00
	19	For agricultural school, a sum not exceeding seventy-two thousand dollars . . .	72,000 00
	22	For pensions, a sum not exceeding two thousand two hundred dollars . . .	2,200 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand seven hundred ninety dollars and ninety-three cents . . .	5,790 93
	24	For a reserve fund, a sum not exceeding five thousand dollars . . .	5,000 00
	And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred forty-five thousand three hundred twenty-five dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes . . .		\$545,325 00

Plymouth County.

Item		Appropriations, etc., and county tax, Plymouth.
1	For interest on county debt, a sum not exceeding sixteen thousand five hundred dollars	\$16,500 00
2	For reduction of county debt, a sum not exceeding thirty-five thousand dollars	35,000 00
3	For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-two thousand two hundred dollars	22,200 00
4	For clerical assistance in county offices, a sum not exceeding eighteen thousand dollars	18,000 00
5	For salaries and expenses of district courts, a sum not exceeding thirty-nine thousand dollars	39,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding sixty thousand dollars	60,000 00
7	For criminal costs in the superior court, a sum not exceeding thirty thousand dollars	30,000 00
8	For civil expenses in the supreme judicial and superior courts, a sum not exceeding nineteen thousand dollars	19,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding six thousand dollars	6,000 00
12	For auditors, masters and referees, a sum not exceeding three thousand five hundred dollars.	3,500 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding eleven thousand seven hundred dollars	11,700 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fourteen thousand dollars	14,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding ninety-eight thousand dollars	98,000 00
17	For law libraries, a sum not exceeding five hundred fifty dollars	550 00
18	For training school, a sum not exceeding five thousand five hundred dollars	5,500 00
19	For county aid to agriculture, a sum not exceeding four thousand five hundred dollars	4,500 00
22	For pensions, a sum not exceeding three thousand fifteen dollars	3,015 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand six hundred sixty-seven dollars and seventy-six cents	3,667 76

Item		
Appropriations, etc., and county tax, Plymouth.	And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of three hundred eighteen thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$318,000 00

Worcester County.

Appropriations, etc., and county tax, Worcester.	1 For interest on county debt, a sum not exceeding thirteen thousand dollars	\$13,000 00
	3 For salaries of county officers and assistants, fixed by law, a sum not exceeding fifty thousand dollars	50,000 00
	4 For clerical assistance in county offices, a sum not exceeding sixty thousand dollars	60,000 00
	5 For salaries and expenses of district courts, a sum not exceeding one hundred ten thousand dollars	110,000 00
	6 For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eighty thousand dollars	80,000 00
	7 For criminal costs in the superior court, a sum not exceeding fifty thousand dollars	50,000 00
	8 For civil expenses in the supreme judicial and superior courts, a sum not exceeding forty-eight thousand dollars	48,000 00
	9 For trial justices, a sum not exceeding one thousand dollars	1,000 00
	10 For transportation expenses of county and associate commissioners, a sum not exceeding two thousand dollars	2,000 00
	11 For medical examiners, inquests, and commitments of the insane, a sum not exceeding fifteen thousand dollars	15,000 00
	12 For auditors, masters and referees, a sum not exceeding twelve thousand dollars	12,000 00
	14 For repairing, furnishing and improving county buildings, a sum not exceeding twelve thousand dollars	12,000 00
	15 For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding forty-five thousand dollars	45,000 00
	16 For highways, including state highways, bridges and land damages, a sum not exceeding three hundred twenty-five thousand five hundred dollars	325,500 00

Item		Appropriations, etc., and county tax, Worcester.
17	For law libraries, a sum not exceeding seven thousand dollars	\$7,000 00
18	For training school, a sum not exceeding twenty-two thousand dollars	22,000 00
19	For county aid to agriculture, a sum not exceeding twenty-five thousand dollars	25,000 00
21	For Mount Wachusett and Purgatory state reservations, a sum not exceeding ten thousand five hundred dollars	10,500 00
22	For pensions, a sum not exceeding thirteen thousand dollars	13,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand dollars	4,000 00
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of seven hundred fifteen thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		\$715,000 00

Approved May 13, 1922.

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO INCUR *Chap. 419*
INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing land and constructing thereon one or more schoolhouses and for furnishing the same, the city of New Bedford may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, seven hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, New Bedford School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1922.

City of New Bedford may borrow money for schoolhouse purposes.

New Bedford School Loan, Act of 1922.

Chap.420 AN ACT AUTHORIZING THE CITY OF REVERE TO BORROW MONEY FOR THE CONSTRUCTION OF STREETS, SEWERS, WATER MAINS AND OTHER PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

City of Revere may borrow money for construction of streets, sewers, water mains and other permanent improvements.

Revere Permanent Improvement Loan, Act of 1922.

Work first to be undertaken, etc.

SECTION 1. For the purpose of constructing Winthrop avenue from the Boston, Revere Beach and Lynn railroad to Summer street and from Victoria street to the Boston and Maine railroad bridge, Revere street from Broadway to North Shore road and Beach street from School street to the said Boston and Maine railroad bridge, including the laying and relaying of water mains and sewers in said streets at the time of such construction, the city of Revere may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Revere Permanent Improvement Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. The work first to be undertaken by said city under this act shall be the construction of Revere street from Broadway to North Shore road, and all other work herein authorized shall be deferred until the construction of the said portion of Revere street is substantially finished.

SECTION 3. This act shall take effect upon its passage.

Approved May 13, 1922.

Chap.421 AN ACT ESTABLISHING THE HYANNISPORT FIRE DISTRICT.

Be it enacted, etc., as follows:

Hyannisport Fire District, established.

SECTION 1. The inhabitants of the town of Barnstable liable to taxation in said town and residing within the territory enclosed by the following boundary lines, to wit: — Beginning at the intersection of the shore line of Centerville harbor and the center line of the creek at the northwest end of Squaw island and running by said center line and the center line of the stream across Mill pond and towards John Smith's pond crossing Sturgis avenue to the junction of said center

line of stream with the center line of Craigville Beach road, thence running easterly by said center line of Craigville Beach road to the junction with the center line of Oak Neck road at the corner of H. T. Dunn's property, thence running due east to the intersection with the center line of the creek between Hyannis and Hyannisport, thence running by said center line of said creek to the junction with the shore line of Vineyard sound, thence running westerly by said shore line of Vineyard sound and Centerville harbor to point of beginning, — shall constitute a fire district, and are hereby made a body corporate by the name of the Hyannisport Fire District; and said corporation, except as herein otherwise provided, shall have all the powers and be subject to all the duties and liabilities set forth in all general laws now or hereafter in force relating to fire districts.

SECTION 2. The first meeting of said district shall be called on petition of five or more legal voters therein, by warrant from the selectmen of the town of Barnstable or from a justice of the peace directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of said warrant in two or more public places in said district seven days at least before the time of the meeting. One of the petitioners shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. The meeting may then proceed to act on the other articles contained in the warrant.

First meeting,
how called,
etc.

SECTION 3. Said district may, at meetings called for the purpose, raise money by taxation for any of the purposes for which fire districts may, under general laws now or hereafter in force, raise money, and for all other purposes necessary or proper under this act. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Barnstable who shall assess the same in the same manner in all respects in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector who shall collect the tax in the manner provided for the collection of town taxes, and shall deposit the proceeds with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the same manner in which interest is authorized to be collected on town taxes.

Assessment
and collection
of taxes.

SECTION 4. Said district shall, at the same meeting at which this act is accepted and after such acceptance, elect by

Clerk, treasurer, and prudential com-

mittee, election,
terms of office,
etc.

ballot a district clerk and a district treasurer, who may be the same person, to hold office until one year from the next succeeding annual meeting, and at each annual meeting after the first, their successors shall be elected by ballot for one year; and there shall also be elected by ballot three persons to hold office, one until three years, one until two years, and one until one year, from the next succeeding annual meeting, to constitute a prudential committee. At each annual meeting after the first, one member of such committee shall be elected by ballot for three years. All officers of the district shall hold office until their successors are elected and qualified. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in the prudential committee, who shall be subject, however, to such instructions, rules and regulations as the district may impose by its vote. Any vacancy occurring in said committee from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the district treasury except upon the written order of a majority of the committee.

May contract
for purchase of
water, etc.

SECTION 5. The said district may make contracts for the purchase of water for the extinguishment of fires, for the lighting of streets or public places, and for any other thing or things that may lawfully be done by fire districts under chapter forty-eight of the General Laws.

By-laws,
calling of
meetings, etc.

SECTION 6. Said district may adopt by-laws prescribing by whom and how meetings may be called and notified; and upon the application of five or more legal voters in the district, meetings may also be called by warrant from a justice of the peace as provided in section two. Said district may also choose such other officers, not provided for in this act, as it may deem necessary or proper.

To be sub-
mitted to
voters of dis-
trict, etc.

SECTION 7. This act shall take effect upon its acceptance by a majority of the legal voters of the district present and voting thereon at any legal meeting called for the purpose within three years after its passage, but the number of meetings so called in any one year shall not exceed three; and for the purpose of being submitted to the voters as aforesaid this act shall take effect upon its passage.

Approved May 13, 1922.

AN ACT AUTHORIZING THE CITY OF MELROSE TO INCUR INDEBTEDNESS NOT EXCEEDING THREE HUNDRED THOUSAND DOLLARS FOR THE PURPOSE OF ERECTING A CITY HALL AS A MEMORIAL TO THE SOLDIERS AND SAILORS OF THE WORLD WAR. *Chap. 422*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a memorial city hall and for the purpose of originally equipping and furnishing said building, the city of Melrose may from time to time borrow such sums as may be necessary, not exceeding in the aggregate three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Melrose Memorial City Hall Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of Melrose may borrow money for erection of a memorial city hall.

Melrose Memorial City Hall Loan, Act of 1922.

SECTION 2. This act shall be submitted to the voters of the city of Melrose at the next annual or special municipal election in the form of the following question, to be placed upon the official ballot: "Shall an act passed by the general court in the year nineteen hundred and twenty-two entitled, 'An Act authorizing the city of Melrose to incur indebtedness not exceeding three hundred thousand dollars for the purpose of erecting a city hall as a memorial to the soldiers and sailors of the world war', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall take effect, but not otherwise.

To be submitted to voters, etc.

Approved May 13, 1922.

AN ACT AUTHORIZING DEPUTY ASSISTANT CLERKS OF COURTS TO ACT AS CLERKS OF COUNTY COMMISSIONERS. *Chap. 423*

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter two hundred and twenty-one of the General Laws is hereby amended by adding at the end thereof the following: — Under the direction of the clerk, such of his duties as clerk of the county commissioners as he shall designate shall be performed by a deputy assistant clerk, — so as to read as follows: — *Section 7.* The clerks of the courts of the several counties except Suffolk may designate such employees in their offices, as in their judgment

G. L. 221, § 7, amended.

Clerks of courts, deputy assistants, designation, etc.

may be necessary for the convenience of the public, as deputy assistant clerks of the courts, who shall have the same authority to administer oaths as the assistant clerks of the courts. Under the direction of the clerk, such of his duties as clerk of the county commissioners as he shall designate shall be performed by a deputy assistant clerk.

Acting as clerks of county commissioners.

G. L. 221, § 14, amended.

SECTION 2. Section fourteen of said chapter two hundred and twenty-one is hereby amended by adding at the end thereof the following: — The duties of the clerks, so far as they relate to the county commissioners, may be performed by deputy assistant clerks designated under section seven, — so as to read as follows: — *Section 14.* The clerks shall attend all the courts of which they are clerks when held in their respective counties, and the sessions of the county commissioners, and shall record their proceedings; and shall have the care and custody of all the records, books and papers which pertain to, or are filed or deposited in, their respective offices. The duties of the clerks, so far as they relate to the county commissioners, may be performed by deputy assistant clerks designated under section seven.

Clerks of courts, general duties.

Certain duties may be performed by deputy assistant clerks.

G. L. 34, § 11, amended.

SECTION 3. Section eleven of chapter thirty-four of the General Laws is hereby amended by inserting after the word “any” in the second line the word: — deputy, — by inserting after the word “clerk” where it first occurs in the same line the words: — designated under section seven of chapter two hundred and twenty-one, — and by inserting after the word “or” in the fifth line the word: — deputy, — so as to read as follows: — *Section 11.* They may, in the absence from any meeting of the clerk or any deputy assistant clerk designated under section seven of chapter two hundred and twenty-one, appoint a temporary clerk, who may be a commissioner or other suitable person. He shall be sworn by the chairman or presiding commissioner, keep a record of the proceedings, and deliver the same forthwith to the clerk or deputy assistant clerk, who shall enter it upon the records of the commissioners.

County commissioners, temporary clerks, appointment, etc.

Approved May 13, 1922.

Chap. 424 AN ACT AUTHORIZING THE COUNTY OF PLYMOUTH TO INCUR INDEBTEDNESS FOR THE REPAIR OR RECONSTRUCTION OF UNION BRIDGE OVER NORTH RIVER BETWEEN THE TOWNS OF MARSHFIELD AND NORWELL.

Be it enacted, etc., as follows:

Plymouth county commissioners may

SECTION 1. The county commissioners of the county of Plymouth, subject to the provisions of chapter ninety-one of

the General Laws and of other laws which may be applicable, are hereby authorized and directed to repair or reconstruct Union bridge, so-called, over North river, between the towns of Marshfield and Norwell, so that the same may be safe for travel thereon. The work done hereunder shall be subject to the approval of the division of waterways and public lands of the department of public works.

repair or reconstruct Union bridge over North river between Marshfield and Norwell.

SECTION 2. The expense incurred under this act shall not exceed the sum of thirty-five thousand dollars, and the treasurer of said county, with the approval of the county commissioners, is hereby authorized to borrow on the credit of the county, and to issue notes of the county therefor, such sums not exceeding said amount as may from time to time be required for the cost and expense aforesaid. Such notes shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within five years from its date. The amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of notes shall constitute a separate loan. All amounts so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out of the same such sums as are authorized by the county commissioners.

Expense limited. Borrowing of money authorized.

SECTION 3. The total cost and expense of the work authorized by this act shall be borne by the county of Plymouth, and thereafter the cost of the maintenance and operation of said bridge shall be borne equally by the towns of Marshfield and Norwell.

Cost, how to be borne, etc.

SECTION 4. Chapter one hundred and forty-eight of the acts of nineteen hundred and twenty-one is hereby repealed.

1921, 148, repealed.

SECTION 5. This act shall take effect upon its acceptance by the county commissioners of Plymouth county and the selectmen of the towns of Marshfield and Norwell; provided, that such acceptance occurs prior to January first, nineteen hundred and twenty-three.

To be submitted to Plymouth county commissioners and selectmen of Marshfield and Norwell. Proviso.

Approved May 13, 1922.

AN ACT PROVIDING FOR THE RESURFACING OF A HIGHWAY
IN THE CITY OF GLOUCESTER.

Chap. 425

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex may grade and resurface that part of the highway between the town of Rockport and the city of Gloucester, laid

Essex county commissioners may grade and resurface highway between

Rockport and
Gloucester.

May borrow
money, etc.

Assessment
upon city of
Gloucester.

City of
Gloucester
may borrow
money.

To be sub-
mitted to
Essex county
commissioners.

out and constructed to sub grade under chapter two hundred and eighteen of the General Acts of nineteen hundred and nineteen, lying within the city of Gloucester.

SECTION 2. For said purposes the county commissioners of said county may borrow money, and expend the same, under authority of said chapter two hundred and eighteen, as amended by chapter four hundred and fifty-seven of the acts of nineteen hundred and twenty, and in the manner provided therein, and upon the completion of the work authorized by section one shall assess upon the city of Gloucester fifty per cent of the cost of the same in the manner provided in section three of said chapter two hundred and eighteen, as amended by section two of said chapter four hundred and fifty-seven. For the purpose of paying the amount so assessed the said city may borrow money under authority of said section three, amended as aforesaid.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of said county.

Approved May 13, 1922.

Chap.426 AN ACT PROVIDING FOR THE REGISTRATION OF MEDICAL STUDENTS FOR THE LIMITED PRACTICE OF MEDICINE.

Be it enacted, etc., as follows:

G. L. 112, new
section after
§ 9.

Registration of
medical stu-
dents for
limited prac-
tice of medi-
cine.

Limitations.

Chapter one hundred and twelve of the General Laws is hereby amended by inserting after section nine the following new section:— *Section 9A.* An applicant for limited registration under this section as an assistant in medicine, who shall furnish the board with satisfactory proof that he is twenty-one years of age or over and of good moral character, that he is enrolled in and has creditably completed not less than two years of study in a legally chartered medical school having the power to grant degrees in medicine, and that he has been assigned to the care and observation of persons requiring medical service by an instructor in said medical school, which instructor shall be a registered physician, may, upon the payment of one dollar, be registered by the board as an assistant in medicine for such time as it may prescribe. Such registered assistant in medicine may practice medicine as authorized by this section, but only under the supervision of such instructor; he may, however, be assigned by such instructor to a hospital, recognized and approved by such instructor, of not less than twenty-five beds, and may practice medicine as aforesaid in said hospital, but only under the

supervision of a registered physician who has been duly appointed a staff physician in said hospital. Registration under this section shall not authorize the signing of certificates of births or deaths, or the use of any instruments whatsoever in the treatment of any cases, except instruments normally used for the purpose of diagnosis and then for such purpose only; nor shall it authorize the prescribing or dispensing of any narcotic drug as defined in section one hundred and ninety-seven of chapter ninety-four. Registration under this section may be revoked at any time by the board, and shall be revoked upon the request of the dean of the medical school in which such assistant in medicine is enrolled. Termination of such enrolment shall operate as a revocation of such registration.

Revocation of registration.

Approved May 13, 1922.

AN ACT TO CARRY INTO EFFECT, SO FAR AS THE COMMONWEALTH OF MASSACHUSETTS IS CONCERNED, THE EIGHTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED

Chap. 427

Chapter 427, Acts of 1922.

Referendum petition filed May 22, 1922.

See page 761.

Section 1. When used in this chapter, the word "liquor" or the phrase "intoxicating liquor" shall be construed to include alcohol, brandy, whisky, rum, gin, beer, ale, porter and wine, and in addition thereto any spirituous, vinous, malt or fermented liquor, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one half of one per centum or more of alcohol by volume, which are fit for use for beverage purposes; provided, that the foregoing definition shall not extend to dealcoholized wine nor to any beverage or liquid produced by the process by which beer, ale, porter or wine is produced, if it contains less than one half of one per centum of alcohol by volume. *Section 2.* It shall be the duty of every sheriff, deputy sheriff, police officer, constable, or other officer whose duty it is to enforce the criminal laws of the commonwealth, who has notice, knowledge or reason to believe that the pro-

Prohibition of intoxicating liquors. Word "liquor" or phrase "intoxicating liquor", defined.

Proviso.

Duties of sheriffs, police officers, constables, etc., as to violations of provisions of chapter.

Rockport and
Gloucester.

May borrow
money, etc.

Assessment
upon city of
Gloucester.

City of
Gloucester
may borrow
money.

To be sub-
mitted to
Essex county

out and constructed to sub grade under chapter two hundred and eighteen of the General Acts of nineteen hundred and nineteen, lying within the city of Gloucester.

SECTION 2. For said purposes the county commissioners of said county may borrow money, and expend the same, under authority of said chapter two hundred and eighteen, as amended by chapter four hundred and fifty-seven of the acts of nineteen hundred and twenty, and in the manner provided therein, and upon the completion of the work authorized by section one shall assess upon the city of Gloucester fifty per cent of the cost of the same in the manner provided in section three of said chapter two hundred and eighteen, as amended by section two of said chapter four hundred and fifty-seven. For the purpose of paying the amount so assessed the said city may borrow money under authority of said section three, amended as aforesaid.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of said county.

dents for
limited prac-
tice of medi-
cine.

Limitations.

shall furnish the board with satisfactory proof that he is twenty-one years of age or over and of good moral character, that he is enrolled in and has creditably completed not less than two years of study in a legally chartered medical school having the power to grant degrees in medicine, and that he has been assigned to the care and observation of persons requiring medical service by an instructor in said medical school, which instructor shall be a registered physician, may, upon the payment of one dollar, be registered by the board as an assistant in medicine for such time as it may prescribe. Such registered assistant in medicine may practice medicine as authorized by this section, but only under the supervision of such instructor; he may, however, be assigned by such instructor to a hospital, recognized and approved by such instructor, of not less than twenty-five beds, and may practice medicine as aforesaid in said hospital, but only under the

supervision of a registered physician who has been duly appointed a staff physician in said hospital. Registration under this section shall not authorize the signing of certificates of births or deaths, or the use of any instruments whatsoever in the treatment of any cases, except instruments normally used for the purpose of diagnosis and then for such purpose only; nor shall it authorize the prescribing or dispensing of any narcotic drug as defined in section one hundred and ninety-seven of chapter ninety-four. Registration under this section may be revoked at any time by the board, and shall be revoked upon the request of the dean of the medical school in which such assistant in medicine is enrolled. Termination of such enrolment shall operate as a revocation of such registration.

Revocation of registration.

Approved May 13, 1922.

AN ACT TO CARRY INTO EFFECT, SO FAR AS THE COMMONWEALTH OF MASSACHUSETTS IS CONCERNED, THE EIGHTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Chap. 427

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and thirty-eight of the General Laws is hereby amended by striking out all of said chapter and inserting in place thereof the following new chapter: —

G. L. 138, amended by inserting new chapter.

CHAPTER 138.

PROHIBITION OF INTOXICATING LIQUORS.

Section 1. When used in this chapter, the word "liquor" or the phrase "intoxicating liquor" shall be construed to include alcohol, brandy, whisky, rum, gin, beer, ale, porter and wine, and in addition thereto any spirituous, vinous, malt or fermented liquor, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one half of one per centum or more of alcohol by volume, which are fit for use for beverage purposes; provided, that the foregoing definition shall not extend to de-alcoholized wine nor to any beverage or liquid produced by the process by which beer, ale, porter or wine is produced, if it contains less than one half of one per centum of alcohol by volume. *Section 2.* It shall be the duty of every sheriff, deputy sheriff, police officer, constable, or other officer whose duty it is to enforce the criminal laws of the commonwealth, who has notice, knowledge or reason to believe that the pro-

Prohibition of intoxicating liquors. Word "liquor" or phrase "intoxicating liquor", defined.

Proviso.

Duties of sheriffs, police officers, constables, etc., as to violations of provisions of chapter.

visions of this chapter are being violated, to exercise immediately all the powers and authority vested in him as such sheriff, deputy sheriff, police officer, constable or other officer to apprehend, arrest and prosecute any person or persons committing such violations. In the exercise of such powers and authority in the enforcement of this chapter or any provision thereof, such officer shall have all the protection which is conferred upon him by law for the enforcement of the criminal laws of the commonwealth. *Section 3.* No person shall manufacture, sell, barter, transport, import, export, deliver, furnish or possess any intoxicating liquor, except as authorized in this chapter.

Manufacture, sale, etc., of intoxicating liquor prohibited, except, etc.

Manufacture, sale, etc., of non-beverage liquor and sacramental wine allowed upon permits, etc.

Articles exempt.

Denatured alcohol or denatured rum, etc.

Medicinal preparations unfit for beverage purposes.

Patent, etc., medicines unfit for beverage purposes.

Toilet preparations, etc., unfit for beverage purposes.

Flavoring extracts, etc.

Vinegar and preserved sweet cider.

Persons holding permits may manufacture said articles and purchase liquor therefor, etc.

Liquor for non-beverage purposes and wine for sacramental purposes may be manufactured, purchased, sold, bartered, transported, imported, exported, delivered, furnished and possessed by any one who is the holder of a permit therefor from the proper authorities of the United States. Nothing in this chapter, however, shall prohibit the purchase and sale of warehouse receipts covering distilled spirits on deposit in United States bonded warehouses. *Section 4.* The articles enumerated in this section shall not, after having been manufactured and prepared for the market, be subject to the provisions of this chapter if they correspond with the following descriptions and limitations, namely:

(a) Denatured alcohol or denatured rum produced and used subject to the provisions of sections two hundred and ninety-five A to two hundred and ninety-five E of chapter ninety-four.

(b) Medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopœia, National Formulary or the American Institute of Homeopathy that are unfit for use for beverage purposes.

(c) Patented, patent and proprietary medicines that are unfit for use for beverage purposes.

(d) Toilet, medicinal and antiseptic preparations and solutions that are unfit for use for beverage purposes.

(e) Flavoring extracts and sirups that are unfit for use as a beverage, or for intoxicating beverage purposes.

(f) Vinegar and preserved sweet cider.

Any person who is the holder of a permit therefor from the proper authorities of the United States may manufacture any of the articles mentioned in this section and, if he is the holder of a permit therefor from the proper authorities of the United States, may purchase and possess liquor for such

manufacturing. No such manufacturer shall sell, use or dispose of any liquor otherwise than as an ingredient of the articles authorized by this section. No more alcohol shall be used in the manufacture of any extract, sirup, or the articles named in paragraphs (b), (c), and (d), which may be used for beverage purposes, than the quantity necessary for extraction or solution of the elements contained therein and for the preservation of the article.

Quantity of alcohol limited.

Any person who shall knowingly sell any of the articles mentioned in paragraphs (a), (b), (c), and (d), for beverage purposes, or any extract or sirup for intoxicating beverage purposes, or who shall sell any of the same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for such purposes, or who shall sell any beverage containing one half of one per centum or more of alcohol by volume in which any extract, sirup, or other article is used as an ingredient, shall be subject to the penalties provided in section thirty-two for selling liquor in violation of this chapter. *Section 5.* No person shall manufacture, sell, purchase, transport or prescribe any liquor without first obtaining such permit as is required by the laws of the United States and the regulations made thereunder, except that a person may, without a permit, purchase and use liquor for medicinal purposes when prescribed by a physician as herein provided, and except that any person who is conducting a bona fide hospital or sanatorium engaged in the treatment of persons suffering from alcoholism, may purchase, and use in accordance with the methods in use in such institution, liquor, to be administered to the patients of such institution under the direction of a duly qualified physician employed by such institution. *Section 6.* No one but a physician, actively engaged in the practice of such profession, and who is the holder of a permit therefor from the proper authorities of the United States, shall issue any prescription for liquor. *Section 7.* It shall be unlawful for any person to sell any intoxicating liquor for medicinal purposes unless he is a druggist and is the holder of a permit therefor from the proper authorities of the United States, and such druggist shall not make any such sale except upon a bona fide prescription for the same issued by a physician, holding a permit as described in section six.

Penalties for selling certain exempted articles for beverage purposes, etc.

Beverages of higher alcoholic strength.

Manufacture, sale, etc., of liquor without permit, prohibited, etc.

Exceptions.

Issuance of prescriptions for liquor by physicians.

Sale of intoxicating liquor by druggists upon prescription, etc.

Every druggist who shall make such a sale of intoxicating liquor for such purpose shall permanently attach to the container of such liquor so sold, a label stating the name and

Druggists selling intoxicating liquor to attach label to container, etc.

address of the person selling and purchasing such liquor, the name and address of the physician issuing the prescription and the date of such sale, and such label shall not be removed from such container until the contents of the container are entirely consumed.

To keep file and record of prescriptions for liquor.

Every druggist who fills a prescription for such liquor shall retain and keep a file thereof, and shall keep a record, in a book kept for that purpose, which record shall show the date of filling, amount and kind of liquor prescribed, to whom sold, the name of the physician issuing the prescription and the number of the prescription and prescription book. Such file and record shall at all times be kept open to inspection by the board of registration in pharmacy, its agent or any officer charged with the enforcement of the provisions of this chapter.

To endorse upon prescriptions word "cancelled", etc.

Any druggist filling such a prescription shall at the time indorse upon it over his own signature the word "cancelled", together with the date when the liquor was delivered, and then make the same a part of the record that he is required to keep as herein provided. *Section 8.* In addition to the requirements of the preceding section, no druggist shall fill any prescription for liquor until he shall have first obtained from the board of registration in pharmacy a license to sell intoxicating liquor. One or more such licenses may be granted annually in any city or town by the board of registration in pharmacy to retail druggists who are registered pharmacists actively engaged in business on their own account or on account of the widow, executor or administrator of a deceased registered pharmacist, or of the wife of one who has become incapacitated, if it appears that the applicant is a proper person to receive such license and is not disqualified to receive it under the provisions of section fourteen.

Registered pharmacists, when considered to be actively engaged in business, etc.

A registered pharmacist who owns stock to the actual value of at least five hundred dollars in a corporation which has been incorporated for the purpose of carrying on a drug business and who conducts in person the business of a store of such corporation shall be considered as actively engaged in business on his own account and as qualified to receive a license under this section for such store.

Refusal to grant licenses.

The board of registration in pharmacy may refuse to grant any and all licenses under this section. The fee for such a license shall be five dollars. *Section 9.* No such license shall be valid unless approved in writing by the licensing authorities in the several cities and towns as defined in section one of

Approval of licenses by local licensing authorities, fee, etc.

chapter one hundred and forty, for which approval the licensee shall pay a fee of two dollars to such authorities.

Section 10. The license, or a copy thereof, certified by the recording officer of the board by which it is issued, shall at all times be displayed on the premises in a conspicuous position where it can easily be read. *Section 11.* A license issued under section eight shall not be valid after one year from its date nor shall it be valid unless the licensee is lawfully authorized by the laws of the United States and the regulations made thereunder to sell intoxicating liquor for medicinal purposes. The board of registration in pharmacy may, after a hearing to the parties interested, revoke or suspend such a license for any cause which it may deem proper.

Display of license, etc.

Duration of validity of licenses.

Revocation or suspension of licenses.

Section 12. Such a license shall become null and void without any process or decree if the registered pharmacist to whom it has been granted ceases to conduct his business in person and on his own account unless he has become unable to so conduct his business or has died and his business is continued by his wife, widow, executor or administrator under another registered pharmacist. *Section 13.* A person, not a registered pharmacist, who procures a license to sell intoxicating liquor in the name of a registered pharmacist who is dead, or in the name of a registered pharmacist by borrowing, hiring or purchasing the use of his certificate of registration as a pharmacist, and, being himself the owner or manager of the place, personally or by his servants, sells intoxicating liquor, shall be punished as provided in section thirty-two for selling liquor in violation of this chapter.

Licenses to be null and void if registered pharmacists cease to conduct business in person, etc.

Penalty for persons, not registered pharmacists, who procure licenses, etc.

Section eleven of chapter two hundred and seventy-nine shall not apply to a conviction under this section. *Section 14.* Conviction of a druggist for the violation of any of the provisions of this chapter shall render his license issued under section eight void and such druggist shall be disqualified to hold such a license for one year after his conviction, and if he is the owner of the licensed premises, no such license shall be exercised on the premises described in the forfeited license during the residue of the term thereof. *Section 15.* No person shall manufacture, purchase for sale, sell or transport any liquor without making at the time a permanent record thereof showing in detail the amount and kind of liquor manufactured, purchased, sold or transported, together with the names and addresses of the persons to whom sold in case of sale, and the consignor and consignee in case of transportation, and the time and place of such manufacture, sale or

G. L. 279, § 11, not to apply. Conviction of druggists, etc., to render license void, etc.

Record by persons manufacturing, selling, etc., liquor.

Manufacturers and druggists to keep copies of permits to purchase, etc.

Labels for containers, details, etc.

For packages, etc.

Carriers to keep record, etc., and to deliver only to persons presenting copy of permit, etc.

Carriers to be notified of packages, etc., containing liquor.

Packages containing liquor to display certain information.

False statements on packages, etc.

transportation. *Section 16.* All manufacturers and wholesale or retail druggists shall keep as a part of the records required of them a copy of all permits to purchase, required by the laws of the United States and the regulations made thereunder, on which a sale of any liquor is made, and no manufacturer or wholesale druggist shall sell or otherwise dispose of any liquor except at wholesale and only to persons having permits required by the laws of the United States and the regulations made thereunder to purchase in such quantities.

Section 17. All persons manufacturing liquor for sale under the provisions of this chapter shall securely and permanently attach to every container thereof, as the same is manufactured, a label stating the name of the manufacturer, the kind and quantity of liquor contained therein, and the date of its manufacture, together with the number of the permit authorizing the manufacture thereof; and all persons possessing such liquor in wholesale quantities shall securely keep and maintain such label thereon; and all persons selling at wholesale shall attach to every package of liquor, when sold, a label setting forth the kind and quantity of liquor contained therein, by whom manufactured, the date of sale, and the person to whom sold; which label shall likewise be kept and maintained thereon until the liquor is used for the purpose for which such sale was authorized.

Section 18. It shall be the duty of every carrier to make a record at the place of shipment of the receipt of any liquor transported, and he shall deliver liquor only to persons who present to the carrier a verified copy of a permit to purchase in the form required by the laws of the United States and the regulations made thereunder which shall be made a part of the carrier's permanent record at the office from which delivery is made. *Section 19.* It shall be unlawful for a person to use or induce any carrier, or any agent or employee thereof, to carry or ship any package or receptacle containing liquor without notifying the carrier of the true nature and character of the shipment.

No carrier shall transport nor shall any person receive liquor from a carrier unless there appears on the outside of the package containing such liquor the following information: The name and address of the consignor or seller, the name and address of the consignee, the kind and quantity of liquor contained therein, and the number of the permit to purchase or ship the same, together with the name and address of the person using the permit. *Section 20.* It shall be unlawful for any consignee to accept or receive any package containing

any liquor upon which appears a statement known to him to be false, or for any carrier or other person to consign, ship, transport or deliver any such package, knowing such statement to be false. *Section 21.* It shall be unlawful to give to any carrier or any officer, agent or person acting or assuming to act for such carrier an order requiring the delivery to any person of any liquor or package containing liquor consigned to, or purporting or claimed to be consigned to, a person, when the purpose of the order is to enable any person not an actual bona fide consignee to obtain such liquor. *Section 22.* It shall be unlawful to advertise anywhere, or by any means or method, liquor, or the manufacture, sale or keeping for sale thereof, or where, how, from whom, or at what price the same may be obtained.

Orders to deliver liquor to persons not bona fide consignees, prohibited.

Advertising of liquor, etc., prohibited.

But nothing herein shall prohibit manufacturers and wholesale druggists holding permits to sell liquor which are required by the laws of the United States and the regulations made thereunder from furnishing price lists, with a description of liquor for sale, to persons permitted to purchase liquor, or from advertising alcohol in business publications or trade journals circulating generally among manufacturers of lawful alcoholic perfumes, toilet preparations, flavoring extracts, medicinal preparations, and like articles. *Section 23.* It shall be unlawful to advertise, manufacture, sell or possess for sale any utensil, contrivance, machine, preparation, compound, tablet, substance, formula, direction or recipe advertised or intended for use in the unlawful manufacture of intoxicating liquor. *Section 24.* No person shall, with intent to effect a sale of liquor, by himself, his employee, servant or agent, for himself or any person, keep or carry around on his person, or in any vehicle or other conveyance whatever, or leave in a place for another to secure, any liquor, or travel to solicit, or solicit, take or accept orders for the sale, shipment or delivery of liquor in violation of this chapter. *Section 25.* A wife, husband, child, parent, guardian, conservator, employer or other person who is injured in person, property or means of support by an intoxicated person, or in consequence of the intoxication, habitual or otherwise, of any person, shall have a right of action in his own name, jointly or severally, against any person who, by unlawfully selling or giving intoxicating liquor, has caused in whole or in part such intoxication; and any person who owns, rents, leases, or permits the occupation of, any building or premises, and has knowledge that intoxicating liquor is to be unlawfully sold therein,

Exceptions.

Advertising, sale, etc., of utensils, etc., used in unlawful manufacture of liquor, prohibited.

Keeping, etc., of liquor for illegal sale, etc., prohibited.

Injuries by intoxicated persons. Action against liquor seller, etc., for damages.

or who, having leased the same for other purposes, knowingly permits therein the unlawful sale of intoxicating liquor, shall, if any such liquor sold or given therein causes in whole or in part the intoxication of a person, be liable jointly or severally with the person who sells or gives liquor as aforesaid, for all damages sustained; and the same may be recovered in an action of tort.

Action by married women or minors.

A married woman may bring such action in her own name, and all damages recovered by her shall inure to her separate use; and all damages recovered by a minor shall be paid either to such minor, or to such person in trust for him, and on such terms, as the court may order. Upon the death of either party, the action and right of action shall survive to or against his executor or administrator. The party injured or his legal representative may bring either a joint action against the person intoxicated and the person who sold or gave the liquor, or a separate action against either.

Recovery of money paid by owner, etc., of real estate.

The owner or lessor of real estate who pays money on account of his liability incurred hereunder for an act of his tenant, may, in an action of contract, recover of such tenant the money so paid. *Section 26.* Any room, house, building, boat, vehicle, structure or place where intoxicating liquor is manufactured, sold, kept or bartered in violation of this chapter, and all intoxicating liquor and property kept and used in maintaining the same, is hereby declared to be a common nuisance, and any person who maintains such a common nuisance, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. If a person has knowledge or reason to believe that his room, house, building, boat, vehicle, structure or place owned or controlled by him is occupied or used for the manufacture, sale, keeping or barter of liquor contrary to the provisions of this chapter, and suffers the same to be so occupied or used, or if such owner or person in control, after due notice of any such use or occupation omits to take all reasonable measures to eject therefrom the persons occupying the same, as soon as it can lawfully be done, he shall be punished by a fine of not less than fifty nor more than one hundred dollars and by imprisonment for not less than three months nor more than one year. *Section 27.* An action to enjoin and abate any nuisance defined in this chapter may be brought by the attorney general in the name of the commonwealth, or upon an information filed by the district

Premises where liquor is illegally sold, etc., declared nuisances.

Penalty.

Penalty for not ejecting occupants from property knowingly used therefor.

Prosecution of actions to enjoin.

attorney for the district, or upon the petition of the board or officer having control of the police of a city or town, or of not less than ten legal voters of a city or town, stating that a room, house, building, boat, vehicle, structure or place therein is occupied or used for the manufacture, sale, keeping or barter of liquor contrary to the provisions of this chapter. Such action shall be brought and tried as an action in equity. If it is made to appear by affidavits or otherwise, to the satisfaction of the court, that such nuisance exists, a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the trial. If a temporary injunction is prayed for, the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or fixtures or other things used in connection with the violation of this chapter, constituting such nuisance. Section nine of chapter two hundred and fourteen shall not apply to temporary injunctions and restraining orders issued under this section. It shall not be necessary for the court to find that the property involved was being unlawfully used as aforesaid at the time of the hearing, but on finding that the material allegations of the petition are true, the court shall order that the nuisance be permanently enjoined and abated and that no liquor shall be manufactured, sold, bartered or kept in such room, house, building, boat, vehicle, structure or place, or any part thereof. The court may further order that the room, house, building, structure, boat, vehicle or place shall not be occupied or used for one year thereafter; but the court may, in its discretion, permit it to be occupied or used if the owner, lessee, tenant or occupant thereof shall give bond with sufficient surety, to be approved by the court making the order, in the penal sum of not less than five hundred nor more than one thousand dollars, payable to the commonwealth and conditioned that intoxicating liquor will not thereafter be manufactured, sold, bartered, kept or otherwise disposed of therein or thereon, and that the person giving the bond will pay all fines, costs and damages that may be assessed for any violation of this chapter occurring upon said property.

Action in equity.
Issue of temporary injunctions.

Order restraining removal of liquor, etc.

Order that nuisance be enjoined or abated, etc.

Occupation or use of premises restricted, etc.

Any violation of this chapter upon any premises by the lessee or occupant thereof holding under a lease or other lawful title shall, at the election of the lessor or owner, annul and make void the lease or other title as provided by section nineteen of chapter one hundred and thirty-nine. *Section 28.*

Annulment, etc., of leases.

Enforcement
charges
allowed.

Contempt pro-
ceedings for
violating
injunctions.

Penalty.

Possession of
liquor, etc.,
unlawful.

Seizure on
search war-
rants.

Seizure of
liquor being
illegally
transported.

Detention of
person in
charge of
liquor, etc.

Procedure upon
procuring
warrants.

Penalties for
illegally manu-
facturing,
selling, etc.,
liquor.

For removing and selling property in enforcing this chapter the officer shall be entitled to charge and receive the same fee as the sheriff of the county would receive for levying upon and selling property under execution, and for closing the premises and keeping them closed a reasonable sum shall be allowed by the court. *Section 29.* In the case of the violation of any injunction, temporary or permanent, granted pursuant to the provisions of this chapter, the court may summarily try and punish the defendant. The proceedings for punishment for contempt shall be commenced by filing with the clerk of the court from which such injunction issued information under oath setting out the alleged facts constituting the violation, whereupon the court shall forthwith cause a warrant to issue under which the defendant shall be arrested. Any person found guilty of contempt under the provisions of this section shall be punished by a fine of not less than five hundred nor more than one thousand dollars, or by imprisonment for not less than thirty days nor more than twelve months, or by both such fine and imprisonment. *Section 30.* It shall be unlawful to have or possess any liquor, or personal property which has been used for the unlawful manufacture of liquor, which is intended for use in violation of this chapter, and no property rights shall exist in any such liquor or property. A search warrant may issue as hereafter provided in this chapter, and such liquor, the containers thereof, and such property so seized shall be subject to such disposition as is provided hereinafter. *Section 31.* When a sheriff, deputy sheriff, police officer, constable or other officer whose duty it is to enforce the criminal laws of the commonwealth shall discover any person in the act of transporting, in violation of law, intoxicating liquor in any wagon, buggy, automobile, water or air craft, or other vehicle, it shall be his duty to seize any and all intoxicating liquor found therein being transported contrary to law. Whenever intoxicating liquor so transported or possessed illegally shall be seized by an officer he shall detain any person in charge thereof until warrants can be procured against such person, and for the seizure of such liquor, as hereinafter provided. After such warrants have been procured, such officer shall at once proceed against the person arrested and the property seized, in accordance with the provisions of this chapter. *Section 32.* Any person who manufactures or sells liquor in violation of this chapter shall for a first offence be punished by a fine of not more than one thousand dollars or by imprisonment for not

more than six months, and for a second or subsequent offence shall be punished by a fine of not less than two hundred dollars nor more than two thousand dollars and by imprisonment for not less than one month nor more than two and one half years.

Any person who knowingly makes any false record, report or affidavit, required by this chapter, or who violates any provision of this chapter for which violation a specific penalty is not prescribed, shall be punished for a first offence by a fine of not more than five hundred dollars; for a second offence by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment for not more than ninety days; for any subsequent offence he shall be punished by a fine of not less than five hundred dollars and by imprisonment for not less than three months nor more than two years.

The prosecuting officer shall ascertain whether the defendant has been previously convicted and allege the prior conviction in the complaint, information, proceeding or indictment.

The penalties provided in this chapter for the manufacture of liquor without a permit, required as aforesaid, shall not apply to a person manufacturing non-intoxicating cider and fruit juices, or beverages containing less than one half of one per centum of alcohol by volume, exclusively for use in his home. *Section 33.* In case of a sale of liquor where the delivery thereof is made by a common or other carrier, the sale and delivery shall be deemed to be made in the county or district wherein the delivery is made by such carrier to the consignee, his agent or employee, or in the county or district wherein the sale is made, or from which the shipment is made, and prosecution for such sale or delivery may be had in any such county or district. *Section 34.* In any complaint, information, proceeding or indictment for the violation of this chapter, separate offences may be united in separate counts and the defendant may be tried on all at one trial and the penalties for all offences may be imposed. It shall not be necessary in any complaint, information, proceeding or indictment to give the name of the purchaser or to include any defensive negative averments, but it shall be sufficient to state that the act complained of was then and there prohibited and unlawful. But this provision shall not be construed to preclude the trial court from directing that the defendant shall be furnished with a bill of particulars when it deems it proper to do so. *Section 35.* The possession of liquor by any person

Penalties for making false records, statements, etc.

Ascertainment of prior convictions.

Non-intoxicating cider, etc., for home use allowed.

Venue of actions for sale or delivery of liquors.

Pleadings. In indictments, etc., separate offences may be united in separate counts, etc.

Form of complaint, indictment, etc.

Illegal possession of liquor

evidence of
intended vio-
lation.

Possession of
liquor in pri-
vate dwellings
allowed.
Proviso.

Transportion
while changing
residence.

Advertise-
ments, etc., as
to liquor, evi-
dence of keep-
ing same for
sale.

Inspection of
records,
reports, etc.

Storage, etc.,
and trans-
portation of
liquor manu-
factured prior
to taking effect
of eighteenth
amendment to
United States
constitution.

Issuance of
summons, etc.,
in case person
whose property
is proceeded
against, etc.,
is not personal
violation, etc.

Notice of
convictions for
illegal sale, etc.,
of liquor, il-
legal gaming,
etc., on
premises occu-
pied by clubs,
etc., to be sent
to state
secretary.

not legally permitted under this chapter to possess liquor shall be prima facie evidence that such liquor is kept for the purpose of being sold, bartered, furnished or otherwise disposed of in violation of the provisions of this chapter.

But it shall not be unlawful to possess liquor in one's private dwelling while the same is occupied and used by him as his dwelling only; provided such liquor is for use only for the personal consumption of the owner thereof and his family residing in such dwelling and of his bona fide guests when entertained by him therein. Such liquor may be legally transported by the owner while changing his residence, if he is the holder of a permit therefor from the proper authorities of the United States. *Section 36.* If any placard, sign or advertisement is exposed from, maintained in or permitted to remain upon any vehicle, shop, stand, tenement or any place of common resort, purporting or designed to announce the keeping in or upon said vehicle or any of said premises of intoxicating liquor, it shall be prima facie evidence that such liquor is kept in or upon such vehicle or premises for sale. *Section 37.* All records and reports kept or filed under the provisions of this chapter shall be subject to inspection at any reasonable hour by any public prosecutor or by any person designated by him, or by any mayor, alderman, city councilman, selectman, sheriff, deputy sheriff, constable, police officer or other officer whose duty it is to enforce the criminal laws of the commonwealth. *Section 38.* Nothing herein shall prevent the storage in United States bonded warehouses of all liquor manufactured prior to the taking effect of the eighteenth amendment to the constitution of the United States, or prevent the transportation, if a permit therefor has been issued by the proper authorities of the United States, of such liquor to such warehouses or to any wholesale druggist for sale to such druggist for purposes not prohibited by this chapter. *Section 39.* In all cases arising under this chapter wherein the property of any person is proceeded against or wherein a judgment affecting it might be rendered, and the person is not the one who personally violated the provisions of this chapter, summons must be issued in due form and served as provided by law. *Section 40.* If any person is convicted of unlawfully manufacturing, exposing and keeping for sale or selling intoxicating liquor on the premises occupied by any club or organization described in section two of chapter one hundred and eighty, or of illegal gaming upon said premises, or of being present where implements of gaming

are found upon said premises, or if any liquor, casks, or other vessels or implements of manufacture or sale or furniture used or kept or provided to be used in the illegal manufacture, keeping or sale of liquor, or implements of gaming, are seized on the premises occupied by any such club or organization and are forfeited under the provisions of this chapter, the court in which or the magistrate before whom such person has been convicted or such liquor or property forfeited shall send to the state secretary a certificate under seal showing the time and place of such conviction or forfeiture and the state secretary shall, upon receipt of such certificate, declare the charter of such club void, and shall publish a notice, in at least one newspaper published in the county in which said club or organization is situated, that such incorporation is void and of no further effect. *Section 41.* Whoever, personally or by his agent or servant, sells or gives intoxicating liquor to a minor, either for his own use, the use of his parent or of any other person, shall forfeit one hundred dollars for each offence, to be recovered by the parent or guardian of such minor in an action of tort. Actions for penalties under this section shall be commenced within two years after the offence has been committed. The provisions of this section shall not apply to sales by the holder of a license under section eight, if made upon the written prescription of a registered physician. *Section 42.* A complaint or indictment for the violation of any provision of this chapter shall not, unless the purposes of justice require such disposition, be placed on file or disposed of except by trial and judgment according to the regular course of criminal proceedings. It shall be otherwise disposed of only upon motion in writing stating specifically the reasons therefor and verified by affidavit if facts are relied on. If the court or magistrate certifies in writing that he is satisfied that the cause relied on exists and that the interests of public justice require the allowance thereof, such motion shall be allowed and said certificate shall be filed in the case. *Section 43.* Upon the conviction of a person of the illegal manufacture, keeping, barter or sale of intoxicating liquor, the court or magistrate by whom he has been convicted shall issue and cause to be served upon the owner of the building, or agent of such owner in charge of the building, used for such illegal manufacture, keeping, barter or sale, if he resides within the commonwealth and is not the person so convicted, a written notice that the tenant of said building has been convicted as aforesaid; and a return thereon shall be made

State secretary to declare charter void, etc.

Penalty for sales, etc., of liquor to minors, etc.

Limitation of actions.

Not applicable in certain cases.

Complaints or indictments, etc., not to be placed on file, etc., unless, etc.

Notice to owners of buildings, etc., of conviction of tenants, etc.

Forms for
prosecution.

Labels, etc.,
on bottles con-
taining liquor
to be de-
stroyed upon
emptying con-
tents, etc.

Penalty.

Section, how
construed.

Invalidity of
any provision
of chapter not
to invalidate
other provi-
sions, etc.

Search war-
rants, issuance,
etc.

to the court or magistrate issuing it. Such notice, so served, shall be deemed to be due and sufficient notice as provided in section twenty-six. *Section 44.* The forms heretofore in use may continue to be used in prosecutions under this chapter, and if substantially followed shall be deemed sufficient to fully and plainly, substantially and formally describe the several offences in each of them set forth, and to authorize the lawful doings of the officers acting by virtue of the warrants issued in substantial conformity therewith; but this section shall not exclude the use of other suitable forms. *Section 45.* All persons immediately upon emptying the original contents of a bottle containing liquor and before refilling the same, shall destroy all labels or printed marks thereon. No person shall thereafter place on such bottles any label or printed mark so similar to the original as to promote fraud or deceit, or as to be likely to be mistaken for the original label or mark. Violations of this section shall be punished by a fine of not less than fifty nor more than two hundred dollars. This section shall not be construed to prohibit the lawful refilling of such bottles with liquor true to label by persons entitled to use the original label or mark, or their agents. *Section 46.* If any section or provision of this chapter shall be held invalid it shall not be construed to invalidate other sections or provisions of this chapter.

SEARCH AND SEIZURE.

Section 47. If two persons of full age make complaint to a justice, a special justice or an associate justice of a district court, or to a trial justice or justice of the peace authorized to issue warrants in criminal cases, that they have reason to believe and do believe that intoxicating liquor, or implements and materials used in the manufacture or sale of the same, described in the complaint, are owned, kept, used, or deposited by a person named therein in a store, shop, warehouse, building, vehicle, air-craft, automobile, steamboat, vessel or place in violation of law, such justice, special justice, associate justice, trial justice or justice of the peace so authorized, if it appears that there is probable cause to believe said complaint to be true, shall issue a search warrant to a sheriff, deputy sheriff, city marshal, chief of police, deputy chief of police, deputy marshal, police officer, constable, or other officer whose duty it is to enforce the criminal laws of the commonwealth, commanding him to search the premises or conveyance in which it is alleged that such liquor or such

implements and materials are owned, kept, used, or deposited, and to seize such liquor and the vessels in which it is contained, and all implements of manufacture and sale and furniture and materials used or kept and provided to be used in the illegal manufacture, keeping or sale of intoxicating liquor, and securely keep the same until final action thereon, and return the warrant with his doings thereon, as soon as may be, to a court or trial justice having jurisdiction in the place in which such liquor or such implements and materials are alleged to be owned, kept, used, or deposited. *Section 48.* The officer executing such search warrant is invested with all the powers conferred by law upon a sheriff or his deputies or a constable or police officer in the execution of a search warrant. *Section 49.* A warrant shall not be issued for the search of a dwelling house, if no tavern, store, grocery, eating house or place of common resort is kept therein, unless one of the complainants makes oath that he has reason to believe and does believe that such liquor has been owned, kept or deposited therein by the occupant, or by his consent or permission, in violation of law within one month next before making such complaint. Such complainant shall in his oath state the facts and circumstances on which such belief is founded, and such allegations shall be recited in the complaint and warrant. *Section 50.* The complaint shall particularly designate the building, structure, conveyance or place to be searched, the liquor and implements and materials of manufacture or sale to be seized, the person by whom the same are owned, kept, used or deposited, and shall allege the intent of such person to violate the provisions of this chapter. The warrant shall allege that probable cause has been shown for the issuing thereof; and the place to be searched, the liquor, implements and materials of manufacture or sale to be seized, and the person believed to be the owner, possessor or keeper of such liquor and such implements and materials, intending to violate the provisions of this chapter, shall be designated therein with the same particularity as in the complaint and the complainants shall be summoned to appear as witnesses. *Section 51.* No evidence illegally obtained under a search warrant shall be admissible against a defendant under the provisions of this chapter. *Section 52.* The officer to whom the warrant is committed shall search the premises or conveyance and seize the liquor described in the warrant, the casks or other vessels in which it is contained, and all implements of manufacture and sale and furniture or ma-

Powers of officers executing search warrants.

Search of dwelling house.

Designation of place to be searched, etc.

Inadmissibility of evidence illegally obtained. Search of premises and seizure of liquor.

terials used or kept and provided to be used in the illegal manufacture, keeping or sale of intoxicating liquor, if they are found in or upon said premises or conveyance, and shall convey the same to some place of security, where he shall keep the liquor, vessels, implements, furniture and materials until final action is had thereon. *Section 53.* If, in the opinion of the court or trial justice before whom the warrant is returned, the value of the liquor, implements and materials seized and the vessels containing such liquor does not exceed one thousand dollars, a notice, under seal, and signed by the justice or the clerk of said court, or by the trial justice, shall be issued within twenty-four hours after such seizure, commanding the person complained against as the keeper of the liquor seized and all other persons who claim any interest therein or in the casks or vessels containing the same to appear before said court or trial justice, at a time and place therein named, to answer to said complaint and show cause why such liquor and the vessels containing it should not be forfeited. *Section 54.* The notice shall contain a description of the number and kind of vessels, the quantity and kind of liquor seized, as nearly as may be, and shall state when and where they were seized. It shall, not less than fourteen days before the time appointed for the trial, be served by a sheriff, deputy sheriff, constable or police officer upon the person charged with being the keeper thereof by leaving an attested copy thereof with him personally or at his usual place of abode, if he is an inhabitant of this commonwealth, and by posting an attested copy on the building in which the liquor was seized, if it was found in a building; otherwise in a public place in the city or town in which the liquor was seized. *Section 55.* If, at the time appointed for trial, said notice has not been duly served, or other sufficient cause appears, the trial may be postponed to some other day and place, and such further notice issued as shall supply any defect in the previous notice; and time and opportunity for trial and defence shall be given to persons interested. *Section 56.* At the time and place designated in the notice, the person complained against, or any person claiming an interest in the liquor and vessels seized, or any part thereof, may appear and make his claim verbally or in writing, and a record of his appearance and claim shall be made, and he shall be admitted as a party to the trial. Whether a claim as aforesaid is made or not, the court or trial justice shall proceed to try, hear and determine the allegations of such complaint, and whether

Notice to
keeper of
liquor seized.

Form and
service of
notice.

Postponement
of trial.

Claimant of
liquors may be
admitted as
party.

said liquor and vessels, or any part thereof, are forfeited. If Judgment.

it appears that the liquor, or any part thereof, was at the time of making the complaint owned, kept or deposited by the person alleged therein in violation of law, the court or trial justice shall render judgment that such and so much of the liquor so seized as was so unlawfully owned, kept or deposited and the vessels in which it is contained, shall be forfeited to the commonwealth. *Section 57.* Any liquor and

Disposition of forfeited liquor and vessels.

vessels so forfeited shall, by authority of the written order of the court or trial justice, be forwarded to the commissioner of public safety, who upon receipt of the same shall notify said court or justice thereof. If, in the judgment of the commissioner, it is for the best interests of the commonwealth that such liquor and vessels be destroyed, he shall destroy or cause the destruction of such liquor and vessels, but if, in his judgment it is for the best interests of the commonwealth to sell the same, he shall, provided he has lawful permission from

Proviso.

the proper federal authorities so to do, cause the same to be sold to some person or persons holding a permit to purchase and possess the same under the provisions of the laws of the United States and the regulations made thereunder, or he may deliver them to any department or agency of the commonwealth for medicinal, mechanical, or scientific uses.

After paying all expenses and disbursements necessarily incurred or made in caring for and selling such liquor and vessels, the commissioner shall pay over the net proceeds to the state treasurer. The officer who serves said order of court shall be allowed therefor fifty cents, but shall not be entitled to receive any traveling fees or mileage on account of the service thereof. *Section 58.* If it is not proved on the trial

Net proceeds to state treasurer, etc.

that all or part of the liquor seized was owned, kept or deposited in violation of law, the court or trial justice shall issue a written order to the officer having the same in custody to return so much thereof as was not proved to be so owned, kept or deposited and the vessels in which it is contained, to the place as nearly as may be from which it was taken, or to deliver it to the person entitled to receive it. After executing such order, the officer shall return it to the court or trial justice with his doings indorsed thereon. *Section 59.* All

Liquors not forfeited to be returned, etc.

implements of manufacture and sale and furniture and materials seized under sections forty-seven to fifty-two, inclusive, shall be forfeited and disposed of in the manner provided for the forfeiture and disposition of intoxicating liquor; provided, however, that the court or trial justice may, if it is

Forfeiture and disposition of furniture, materials, etc.

Proviso.

Proceeds to
state treasurer,
etc.

Payment of
costs.

Appeal to
superior court,
etc.

Superior court
to have juris-
diction when
liquors worth
more than one
thousand
dollars.

deemed to be for the interest of the commonwealth, order the destruction or sale of said property by any officer qualified to serve criminal process, and the proceeds of a sale thereof shall be paid over to the state treasurer; and said officer shall make return of the order for such destruction or sale and his doings thereon to the court or justice issuing the same. *Section 60.* If no person appears and is admitted as a party as aforesaid, or if judgment is rendered in favor of all the claimants who appear, the cost of the proceedings shall be paid as in other criminal cases. If only one party appearing fails to sustain his claim, he shall pay all the costs except the expense of seizing and keeping the liquor, vessels, implements or materials seized, and an execution shall be issued against him therefor. If judgment is rendered against two or more claimants of distinct interests in the liquor, vessels, implements or materials, the costs shall, according to the discretion of the court or trial justice, be apportioned among such parties, and executions shall be issued against them severally. If such execution is not forthwith paid, the defendant therein named shall be committed to jail, and shall not be discharged therefrom until he has paid the same and the costs of commitment, or until he has been imprisoned thirty days. *Section 61.* A claimant whose claim is not allowed as aforesaid, and the person complained against, shall each have the same right of appeal to the superior court as if he had been convicted of crime; but before his appeal is allowed he shall recognize to the commonwealth in a sum to be determined by the court or trial justice, with sufficient surety or sureties, to prosecute his appeal to the superior court and to abide the sentence of the court thereon. Upon such appeal, any question of fact shall be tried by a jury. On the judgment of the court after verdict, whether of forfeiture of the whole or any part of the liquor, vessels, implements and materials seized, or otherwise, similar proceedings shall be had as are directed in the five preceding sections. *Section 62.* If, in the opinion of the court or trial justice before whom a warrant under which liquor has been seized is returnable, the value of the liquor, implements, furniture and materials seized with the vessels containing such liquor exceeds one thousand dollars, a notice shall be issued and served as directed in sections fifty-three and fifty-four, except that it shall be made returnable to the sitting of the superior court for criminal business to be held in the county next after the

expiration of fourteen days from the time of issuing the notice. The superior court shall have jurisdiction of the case, and may proceed therein in the manner directed in sections fifty-five to fifty-eight, inclusive, and sixty as nearly as may be, and with a jury, upon any issue of facts presented by the claimant or directed by the court. *Section 63.* A mayor, alderman, selectman, sheriff, deputy sheriff, chief of police, deputy chief of police, city marshal, deputy or assistant marshal, police officer, constable, or other officer whose duty it is to enforce the criminal laws of the commonwealth, within his jurisdiction, may without warrant arrest any person whom he finds in the act of illegally manufacturing, selling, transporting, distributing or delivering intoxicating liquor, and seize the liquor, vessels, implements and materials of manufacture and sale, in the possession of such person, and detain them until warrants can be procured against such person, and for the seizure of said liquor, vessels, implements and materials under the provisions of this chapter. Such officers shall enforce or cause to be enforced the penalties provided by law against every person who is guilty of a violation of this chapter of which they can obtain reasonable proof. *Section 64.* The analyst or assistant analyst of the department of public health shall upon request make, free of charge, an analysis of all liquors sent to it by the licensing board of any city, the selectmen of any town, or by police officers or other officers authorized by law to make seizures of liquors, if the department is satisfied that the analysis requested is to be used in connection with the enforcement of the laws of the commonwealth. The said department shall return to such licensing board, selectmen, police or other officers, as soon as may be, a certificate, signed by the analyst or assistant analyst making such analysis, of the percentage of alcohol by volume which such samples of liquor contain. Such certificate shall be prima facie evidence of the composition and quality of the liquors to which it relates, and the court may take judicial notice of the signature of the analyst or the assistant analyst, and of the fact that he is such. *Section 65.* A certificate shall accompany each sample of liquor sent for analysis by any officer to the department of public health stating by whom said liquor was seized, the date of the seizure and the name and residence of the officer who seized the liquor. Said department shall note upon said certificate the date of the receipt and the analysis of said liquor and the percentage of

Arrest without
warrant in cer-
tain cases.

Analysis of
liquors by de-
partment of
public health.

Certificate to
accompany
sample sent
for analysis.

Form of
certificate.

alcohol, as required by the preceding section. Said certificate may be in the following form:

CITY OF (or Town of) 19 .
SS.

TO THE DEPARTMENT OF PUBLIC HEALTH.

Sirs: — I send you herewith a sample of taken from liquor seized by me (date) 19 .

Ascertain the percentage of alcohol it contains, by volume, and return to me a certificate herewith upon the annexed form.

Title of Officer.

COMMONWEALTH OF MASSACHUSETTS.
DEPARTMENT OF PUBLIC HEALTH,
BOSTON, 19 .

This is to certify that the received by this department with the above statement and analyzed by me contains per cent of alcohol, by volume.

Received 19 .
Analysis made 19 .

Department of Public Health,
By.....
Analyst.

State secretary
to provide
forms.

Tampering with
seized liquor,
etc., forbidden.

Court may
order analysis
of seized liquor.

G. L. 94, new
sections after
§ 295.

Section 66. The state secretary shall provide and cause officers to be supplied with a suitable number of the forms prescribed by the preceding section. Section 67. No person shall tamper with liquor seized under the provisions of this chapter or alter the statements made upon the forms or certificate aforesaid. Section 68. Any court or trial justice may cause liquor which has been seized under this chapter to be analyzed by a competent chemist, and the reasonable expense thereof, including a fee of not more than ten dollars for each analysis, shall be taxed, allowed and paid like other expenses in criminal cases.

SECTION 2. Chapter ninety-four of the General Laws is hereby amended by inserting after section two hundred and ninety-five under the heading "WOOD ALCOHOL" the five following sections: —

WOOD ALCOHOL.

Manufacture,
sale, etc., of
wood alcohol,
etc., without
license by other

Section 295A. No person other than a registered druggist shall engage in the business of manufacturing, buying, selling, or dealing in methyl alcohol, or wood alcohol, so-called, or

denatured alcohol, or any preparation used for manufacturing or commercial purposes which contains more than three per cent of any of the said alcohols and is intended for use other than as a beverage, without being licensed so to do by the board of health of the town where the business is conducted.

Section 295B. The board of health of each town may issue licenses under the preceding section, upon the payment of a fee of one dollar, to such persons as it shall find to be properly qualified to carry on the said business. The licenses shall expire on April thirtieth of each year, and may at any time be suspended or revoked, for cause, by the board. The board shall keep a record of all such licenses.

than registered
druggist for-
bidden.

Board of health
to issue
licenses, etc.

Section 295C. Every barrel or keg containing methyl alcohol or wood alcohol, so-called, or denatured alcohol containing methyl alcohol, or any drug or medicine intended for external use containing methyl alcohol, shall bear in capital letters not less than three fourths nor more than one and one half inches in height, stenciled thereon or printed upon a label affixed thereto, the words "POISON, NOT FOR INTERNAL USE". Every other container of any such alcohol, drug or medicine shall bear a label of white paper on which shall be printed in red capital letters not less than one fourth of an inch in height, the words "DEADLY POISON", the name and place of business of the vendor, and the statement that he is a registered druggist or the number of his license under the two preceding sections, and, in legible type, the words "NOT FOR INTERNAL USE, CAUSES BLINDNESS. KEEP FROM THE EYES". Whoever, himself or by his servant or agent, sells, exchanges or delivers any such alcohol, drug or medicine in any container not conforming to this section shall be punished by a fine of not less than fifty nor more than two hundred dollars.

Form of label
on containers
of wood alcohol,
etc.

Section 295D. The sale of methyl alcohol, wood alcohol, so-called, denatured alcohol, or any preparation containing alcohol as described in section two hundred and ninety-five A, by a person not licensed as required by sections two hundred and ninety-five A and two hundred and ninety-five B, or by a licensee to a minor or to any person without reasonable investigation and inquiry to determine that the same is not to be used for drinking purposes, shall constitute the offence of unlawful sale of alcohol and may be described as such in any complaint or indictment without more; but a person so charged shall be entitled to a bill of particulars in accordance with section forty of chapter two hundred and seventy-seven.

Penalty.

Offence of
unlawful sale
of alcohol.

Section 295E. Except as otherwise provided in section two

Penalty.

hundred and ninety-five C, violation of any provision of sections two hundred and ninety-five A to two hundred and ninety-five D, inclusive, shall be punished by a fine of not more than one hundred dollars or by imprisonment in the house of correction for a term not exceeding six months, or both.

G. L. 9, § 6,
amended.

SECTION 3. Section six of chapter nine of the General Laws is hereby amended by striking out, in the sixth and seventh lines, the words "and of the enumeration of summer residents under section fourteen of chapter one hundred and thirty-eight", so as to read as follows:— *Section 6.* The secretary, with the approval of the governor and council, shall appoint and may remove a competent person to be known as the state census director, and may with like approval fix his salary. Said director, under the supervision of the secretary, shall have charge of collecting, compiling and publishing information in connection with the decennial census. He shall perform such other duties as the secretary determines.

State census
director, ap-
pointment,
duties, etc.

G. L. 9, § 17,
amended.

SECTION 4. Section seventeen of said chapter nine is hereby amended by striking out, in the seventh to the eleventh line, inclusive, the words "the returns of the number of licenses for the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight, granted by the several towns, the amounts received for the same, and the votes of the towns on the question of granting the same;", so as to read as follows:— *Section 17.* He shall, in addition to the special reports required by law, make an annual report showing the transactions of his department for the preceding fiscal year. He shall include therein a report showing the aggregate vote, both affirmative and negative, on every act or part of an act which shall have been referred by the general court for acceptance or rejection to the voters of any political subdivision of the commonwealth or to the city council of any city during the year; the returns by the sheriffs of the several counties of money received by them and the number of days they have attended upon a court of record and upon the county commissioners, and the abstracts and tabular statements of facts and statistics relative to the trial of cases in the superior court for the several counties prepared from the returns furnished to him as required by section twenty-four of chapter two hundred and twenty-one. He shall also include in such report a record of the work of his department in respect to public records under

State secre-
tary, annual
report.

chapter sixty-six, with recommendations and suggestions relative thereto.

SECTION 5. Section nineteen of chapter thirty-nine of the General Laws is hereby repealed. G. L. 39, § 19,
repealed.

SECTION 6. Section twenty of said chapter thirty-nine is hereby amended by striking out, in the third to the fifth line, inclusive, the words "and for voting on the question of granting licenses for the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight," — and by striking out, in the twelfth to the fifteenth line, inclusive, the words "and the question of granting licenses for the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight," so as to read as follows:— *Section 20.* Towns divided into voting precincts may, for their annual town election, establish precinct voting for all town officers to be chosen thereat by accepting this section at a meeting held fourteen days at least before the annual town meeting. The acceptance of this section or corresponding provisions of earlier laws may be revoked by the town at a meeting held thirty days at least before the annual town meeting; and if so revoked this section shall cease to be in force therein. In towns in which this section or corresponding provisions of earlier laws are in force, all matters to be considered at the annual town meeting, other than the election of town officers, shall be in order only at a town meeting held within thirty days after the date of the annual election, and not later than April thirtieth. The time and place of holding such subsequent meeting shall be stated in the warrant for the annual election, and said election, subsequent meeting and its adjournments shall be regarded as parts of the annual town meeting. The election of a moderator, except in towns where moderators are elected for the term of one year, shall be the first business in order at said subsequent meeting. Towns by vote or by-law may authorize voting by precincts at special elections of town officers. G. L. 39, § 20,
amended.

Municipal
government.
Precinct voting
in towns.

SECTION 7. Section twenty-three of said chapter thirty-nine is hereby amended by striking out, in the third to the fifth line, inclusive, the words "and the vote on the question of granting licenses for the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight," — by striking out, in the eighth and in the ninth line, the words "and vote", — and also by striking out, in the ninth line, the word "parts" and inserting in place G. L. 39, § 23,
amended.

thereof the word: — part, — so as to read as follows: —

Town meetings.
Election of
town officers
at different
date from
meeting for
other business.

Section 23. A town which accepts this section or has accepted corresponding provisions of earlier laws may provide that the election of town officers shall take place at any time within seven days before or after the annual meeting held for the transaction of other business. The time and place of holding such election shall be stated in the warrant for the annual town meeting and such election shall be deemed part of the annual town meeting.

G. L. 41, § 5,
amended.

SECTION 8. Section five of chapter forty-one of the General Laws is hereby amended by striking out, in the third to the sixth line, inclusive, the words “, and in voting upon the question of granting licenses for the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight”, so as to read as follows: — *Section 5.* The voting list shall be used and the name of every person voting shall be checked thereon, in the election of all town officers whose election is by law required to be by ballot; but in the election of other town officers, the meeting shall determine whether the voting list shall be used.

Election of
town officers,
use of voting
list, etc.

G. L. 54, § 64,
amended.

SECTION 9. Section sixty-four of chapter fifty-four of the General Laws is hereby amended by striking out, in the nineteenth to the twenty-third line, inclusive, the words “At annual town meetings they shall be kept open at least one hour for the reception of votes upon the question of licensing the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight.”, so as to read as follows: — *Section 64.* Notices or warrants for state and city elections and for the election of town officers in towns where official ballots are used shall specify by name all the offices to be voted for, and state, in the form in which it will appear upon the ballot, any question submitted to the voters. They shall specify the time when the polls will be opened, and in cities and in towns when voting by precincts, when the polls will be closed, and in towns when not voting by precincts, when they may be closed.

Elections.
Notices or
warrants to
specify offices
and to state
questions sub-
mitted to
voters, etc.

Polling hours.

The polls shall in no case be kept open after eight o'clock in the evening.

In cities.

In cities, the polls may be opened as early as six o'clock in the forenoon, and shall be opened as early as ten o'clock in the forenoon and shall be kept open at least six hours.

In towns.

In towns, at the election of state and town officers, the polls may be opened as early as fifteen minutes before six o'clock in the forenoon, and shall be opened as early as twelve

o'clock, noon, and shall be kept open at least four hours, and until the time specified in the warrant when they may or will be closed; and in towns not voting by precincts they may be kept open for such longer time as the meeting shall direct. After an announcement has been made by the presiding officer of a time so fixed for closing the polls they shall not be closed at an earlier hour.

SECTION 10. Section one hundred and four of said chapter fifty-four is hereby amended by striking out, in the seventh to the ninth line, inclusive, the words "upon the question of granting licenses for the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight," so as to read as follows:— *Section 104.* The blank forms and apparatus provided by the state secretary shall be used in ascertaining the result of the election or vote in state elections in cities and towns, in city elections, in elections of town officers in towns where official ballots are used, and also in taking the vote upon any proposed amendment to the constitution, upon any law or proposed law submitted to the voters by referendum or initiative petition, and upon any other question submitted by statute to the voters of any senatorial or representative district, or of any city or town in which official ballots are used. If it is impossible to use such blank forms or apparatus, the canvass of the votes shall be made as the presiding officer shall direct; and the clerk shall record the facts relating to the failure to use such blank forms or apparatus, and shall enclose an attested copy of such record in the envelope with the ballots cast.

G. L. 54, § 104,
amended.

Elections.
State blanks
and apparatus
to be used, etc.

SECTION 11. Section eleven of chapter one hundred and eleven of the General Laws is hereby repealed.

G. L. 111, § 11,
repealed.

SECTION 12. Section twenty-seven of chapter one hundred and twelve of the General Laws is hereby amended by striking out, in the second line, the words "third class licenses" and inserting in place thereof the words:— licenses under section eight of chapter one hundred and thirty-eight, — and by striking out, in the sixth line, the words "the sale of", so as to read as follows:— *Section 27.* The board shall hear all applications by registered pharmacists for the granting of licenses under section eight of chapter one hundred and thirty-eight, if a hearing is requested by the applicant, and all complaints made to it against any person registered as a pharmacist charging him in his business as a pharmacist with violating any laws of the commonwealth, and especially the

G. L. 112, § 27,
amended.

Board of registration in
pharmacy,
hearings on
applications
for certain
liquor licenses
and complaints, etc.

laws relating to intoxicating liquors; or with engaging with, or aiding or abetting, another in the violation of said laws; or, if he himself is not the owner and actively engaged in such business, with suffering or permitting the use of his name or certificate of registration by others in the conduct of the business of pharmacy. Such complaint shall set out the offence alleged and be made within fifteen days after the date of the act complained of, or within thirty days after a conviction by a court of competent jurisdiction. The board shall notify the person complained against of the charge against him and of the time and place of the hearing at which he may appear with his witnesses and be heard by counsel. It may summon witnesses and compel their attendance at said hearings. Witnesses shall testify on oath and may be sworn by a member of the board. Three members of the board shall be a quorum for any such hearing.

Notices, etc.

G. L. 112, § 32,
amended.

Board of regis-
tration in
pharmacy to
investigate
complaints, etc.

G. L. 112, § 34,
amended.

Certificate of
conviction of
pharmacist to
be sent to
board of regis-
tration, etc.

G. L. 112, § 35,
amended.

SECTION 13. Section thirty-two of said chapter one hundred and twelve is hereby amended by striking out, in the fifth and sixth lines, the words "twenty-five to thirty-three, inclusive, and eighty-eight" and inserting in place thereof the words: — six to fourteen, inclusive, — so as to read as follows: — *Section 32.* The board shall investigate all complaints of the violation of any provision of sections twenty-four to forty-two, inclusive, or of section sixty-five, so far as it relates to pharmacy, and report the same to the proper prosecuting officers, and especially investigate and cause to be prosecuted all violations of sections six to fourteen, inclusive, of chapter one hundred and thirty-eight.

SECTION 14. Section thirty-four of said chapter one hundred and twelve is hereby amended by striking out, in the second and third lines, the words "section thirty, thirty-one or thirty-two of", — and by inserting after the word "thirty-eight" in the third line the words: — so far as it relates to druggists, — so as to read as follows: — *Section 34.* The court or magistrate before whom a person is convicted of a violation of section thirty of this chapter, or of chapter one hundred and thirty-eight so far as it relates to druggists, or of section two of chapter two hundred and seventy shall send to the board a certificate under seal showing the time, cause and place of conviction.

SECTION 15. Section thirty-five of said chapter one hundred and twelve is hereby amended by striking out, in the second and third lines, the words "twenty-five to thirty-three, inclusive, and eighty-eight," and inserting in place thereof the

words: — six to fourteen, inclusive, — so as to read as follows: — *Section 35.* Sections thirty and thirty-seven to forty-one, inclusive, of this chapter, sections six to fourteen, inclusive, of chapter one hundred and thirty-eight and section two of chapter two hundred and seventy shall not apply to physicians who put up their own prescriptions or dispense medicines to their patients; nor to the sale of drugs, medicines, chemicals or poisons by wholesale dealers or manufacturing chemists to retail dealers; nor to the manufacture or sale of patent and proprietary medicines; nor to the sale by merchants at retail of the following drugs and chemicals used in the arts, or as household remedies: alum, ammonia, bicarbonate of soda, borax, camphor, castor oil, chlorinated lime, citric acid, cod liver oil, copperas, cotton seed oil, cream of tartar, dyestuffs, Epsom salt, flaxseed, flaxseed meal, gelatine, ginger, Glauber's salt, glycerine, gum arabic, gum tragacanth, hops, hyposulphite of soda, licorice, lime water, linseed oil, litharge, magnesia, olive oil, peroxide of hydrogen, petrolatum, phosphate of soda, rhubarb, Rochelle salt, rosin, sal ammoniac, salt-peter, senna, slippery elm bark, spices for seasoning, sugar of milk, sulphate of copper, sulphur, tartaric acid, turpentine, extract of witch hazel and zinc oxide; nor to the sale in the original packages of the following, if put up by registered pharmacists, manufacturers or wholesale dealers in conformity with law: flavoring essences or extracts, essence of Jamaica ginger, insecticides, rat exterminators, aromatic spirits of ammonia, spirits of camphor, sweet spirits of niter, syrup of rhubarb, tincture of arnica and tincture of rhubarb; nor to the sale of the following poisons used in the arts, if properly labelled and recorded as provided by section two of chapter two hundred and seventy: muriatic acid, oxalic acid, nitric acid, sulphuric acid, arsenic, cyanide of potassium, mercury, phosphorus and sulphate of zinc.

Application of certain laws relating to druggists, liquors, etc., restricted.

SECTION 16. Section thirty-six of said chapter one hundred and twelve is hereby amended by striking out, in the fourth line, the words "third class license" and inserting in place thereof the words: — license under section eight of chapter one hundred and thirty-eight, — so as to read as follows: — *Section 36.* The widow, executor or administrator of a registered pharmacist who has died or the wife of one who has become incapacitated may continue his business under a registered pharmacist, who may also be considered qualified to receive a license under section eight of chapter one hundred and thirty-eight to be exercised upon said

G. L. 112, § 36, amended.

Business of deceased or incapacitated registered pharmacist may be continued, etc.

premises of said deceased or incapacitated pharmacist; provided, that the registered licensee is in charge of the premises and present therein.

G. L. 112, § 40,
amended.

Registration
and permit for
retail drug
business may
be suspended
or revoked,
etc.

SECTION 17. Section forty of said chapter one hundred and twelve is hereby amended by striking out, in the third line, the words "the sale of", so as to read as follows: — *Section 40.* The board may suspend or revoke any registration made under the preceding section and any permit issued thereunder for any violation of the law pertaining to the drug business or intoxicating liquors or for aiding or abetting in a violation of any such law; but before such suspension or revocation the board shall give a hearing to the holder of the permit, after due notice to him of the charges against him and of the time and place of the hearing. Such holder may appear at the hearing with witnesses and be heard by counsel. Witnesses shall testify on oath and any member of the board may administer oaths to them. The board may require the attendance of persons and compel the production of books and documents. Three members of the board shall be a quorum for such a hearing, but no registration or permit shall be suspended or revoked unless upon the affirmative vote of three or more members thereof.

G. L. 136, § 6,
amended.

Limit of opera-
tion of provi-
sions of law
prohibiting
keeping open
of shops, etc.,
and doing cer-
tain work, etc.,
on Lord's day.

SECTION 18. Section six of chapter one hundred and thirty-six of the General Laws is hereby amended by striking out, in the eleventh line, the word "such" and also, by striking out, in the eleventh to the thirteenth line, inclusive, the words "as are not also licensed to sell certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight, and", so as to read as follows: — *Section 6.* The preceding section shall not prohibit the manufacture and distribution of steam, gas or electricity for illuminating purposes, heat or motive power; the distribution of water for fire or domestic purposes; the use of the telegraph or the telephone; the retail sale of drugs and medicines, or articles ordered by the prescription of a physician, or mechanical appliances used by physicians or surgeons; the retail sale of tobacco in any of its forms by licensed innholders, common victuallers, druggists and newsdealers whose stores are open for the sale of newspapers every day in the week; the retail sale of ice cream, soda water and confectionery by licensed innholders and druggists, and by licensed common victuallers who are authorized to keep open their places of business on the Lord's day; the sale of ice cream, soda water, confectionery or fruit by persons licensed under the following section

or the keeping open of their places of business for the sale thereof; work lawfully done by persons working under permits granted under section nine; the sale by licensed innholders and common victuallers of meals such as are usually served by them, consisting in no part of intoxicating liquors, which meals are cooked on the premises but are not to be consumed thereon; the operation of motor vehicles; the letting of horses and carriages or of boats; unpaid work on pleasure boats; the running of steam ferry boats on established routes; the running of street railway cars; the running of steamboat lines and trains or of steamboats, if authorized under section nineteen; the preparation, printing and publication of newspapers, or the sale and delivery thereof; the wholesale or retail sale and delivery of milk, or the transportation thereof, or the delivery of ice cream; the making of butter and cheese; the keeping open of public bath houses; the making or selling by bakers or their employees, before ten o'clock in the forenoon and between the hours of four o'clock and half past six o'clock in the afternoon, of bread or other food usually dealt in by them; the selling of kosher meat by any person who, according to his religious belief, observes Saturday as the Lord's day by closing his place of business during the day until six o'clock in the afternoon or the keeping open of his shop on the Lord's day for the sale of kosher meat between the hours of six o'clock and ten o'clock in the forenoon; the performing of secular business and labor on the Lord's day by any person who conscientiously believes that the seventh day of the week ought to be observed as the Sabbath and actually refrains from secular business and labor on that day, if he disturbs no other person thereby; the carrying on of the business of bootblack before eleven o'clock in the forenoon; the digging of clams; the icing and dressing of fish; the cultivation of land, and the raising, harvesting, conserving and transporting of agricultural products during the existence of war between the United States and any other nation and until the first day of January following the termination thereof; the sale of catalogues of pictures and other works of art in exhibitions held by societies organized for the purpose of promoting education in the fine arts or the exposure of photographic plates and films for pleasure, if the pictures to be made therefrom are not intended to be sold and are not sold.

Same subject.

SECTION 19. Section seven of said chapter one hundred and thirty-six is hereby amended by striking out, in the ninth

G. L. 136, § 7,
amended.

Sale of certain articles on Lord's day licensed.

to the eleventh line, inclusive, the words "and who does not hold a license for the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight," so as to read as follows: — *Section 7.* In Boston, and in any other city or town which accepts this and the following section or has accepted corresponding provisions of earlier laws, in a city by its city council or in a town by the voters of the town at an annual town meeting, the licensing board or officer in such city or town, or if there is no such board or officer the aldermen of a city, or if there are no aldermen the city council, with the approval of the mayor, or the selectmen of a town, may grant, to any reputable person who on secular days is a retail dealer in ice cream, confectionery, soda water or fruit a license to keep open his place of business on the Lord's day for the sale of ice cream, confectionery, soda water or fruit.

G. L. 139, § 14, amended.

SECTION 20. Section fourteen of chapter one hundred and thirty-nine of the General Laws is hereby amended by striking out, in the second and third lines, the words ", or which is used for the illegal keeping or sale of intoxicating liquor," so as to read as follows: — *Section 14.* Every building, place or tenement which is resorted to for illegal gaming shall be deemed a common nuisance.

Buildings, etc., resorted to for illegal gaming to be common nuisances.

G. L. 139, § 16, amended.

SECTION 21. Section sixteen of said chapter one hundred and thirty-nine is hereby amended by striking out, in the fifth and sixth lines, the words "or is used for the illegal keeping or sale of intoxicating liquors," so as to read as follows: — *Section 16.* Upon an information filed by the district attorney for the district, or upon the petition of the board or officer having control of the police of a town or of not less than ten legal voters of a town, stating that a building, place or tenement therein is resorted to for illegal gaming, the supreme judicial or superior court may enjoin or abate the same as a common nuisance.

Abatement, etc., of use of buildings, etc., as a common nuisance.

G. L. 139, § 17, repealed.

SECTION 22. Section seventeen of said chapter one hundred and thirty-nine is hereby repealed.

G. L. 139, § 18, amended.

SECTION 23. Section eighteen of said chapter one hundred and thirty-nine is hereby amended by striking out, in the fifth and sixth lines, the words "spirituous or fermented liquor" and inserting in place thereof the words: — intoxicating liquor, as defined in chapter one hundred and thirty-eight, — so as to read as follows: — *Section 18.* The aldermen or the selectmen, upon complaint made to them under oath that the complainant has reason to believe and does be-

Removal of gambling booths, etc., near public shows, etc.

lieve that a booth, shed or other temporary erection, situated within one mile of a muster field, cattle showground, or other place of public gathering, is used and occupied for the sale of intoxicating liquor, as defined in chapter one hundred and thirty-eight, or for the purpose of gaming, may order the owner or occupant thereof to vacate and close the same forthwith. If the owner or occupant fails so to do, the aldermen or selectmen may forthwith abate such booth, shed or erection as a nuisance, and may pull down or otherwise destroy the same through the agency of any force, civil or military.

SECTION 24. Section nineteen of said chapter one hundred and thirty-nine is hereby amended by striking out, in the third and fourth lines, the words “, illegal gaming, or the illegal keeping or sale of intoxicating liquors” and inserting in place thereof the words: — or illegal gaming, — so as to read as follows: — *Section 19.* If a tenant or occupant of a building or tenement, under a lawful title, uses such premises or any part thereof for the purposes of prostitution, assignation, lewdness or illegal gaming, such use shall at the election of the lessor or owner annul and make void the lease or other title under which such tenant or occupant holds and, without any act of the lessor or owner, shall cause the right of possession to revert and vest in him, and he may, without process of law, make immediate entry upon the premises, or may avail himself of the remedy provided in chapter two hundred and thirty-nine.

G. L. 139, § 19,
amended.

Keeping a
nuisance by
tenant to make
lease void, etc.

SECTION 25. Section twenty of said chapter one hundred and thirty-nine is hereby amended by striking out, in the third line, the words “illegal gaming, or the illegal keeping or sale of intoxicating liquors” and inserting in place thereof the words: — or illegal gaming, — so as to read as follows: — *Section 20.* Whoever knowingly lets premises owned by him, or under his control, for the purposes of prostitution, assignation, lewdness, or illegal gaming, or knowingly permits such premises, while under his control, to be used for such purposes, or after due notice of any such use omits to take all reasonable measures to eject therefrom the persons occupying the same as soon as it can lawfully be done, shall be punished by a fine of not less than fifty nor more than one hundred dollars and by imprisonment for not less than three months nor more than one year.

G. L. 139, § 20,
amended.

Aiding in
maintenance
of a nuisance,
etc., penalty.

SECTION 26. Chapter one hundred and forty of the General Laws is hereby amended by striking out section one hundred and thirty-three and inserting in place thereof the fol-

G. L. 140, § 133,
amended.

Smoke
nuisance,
permits.

lowing:— *Section 133.* Such permit shall be signed by the mayor or by a majority of the board of selectmen and by the city or town clerk, and be recorded in the office of said clerk. It shall name the person to whom it is granted, and definitely and clearly describe the location and limits of the premises to which it applies, and shall remain in force until the first day of May next after its date, unless sooner forfeited or rendered void. Notice of applications for such permits shall be published by the licensing authorities of the city or town, at the expense of the applicant, to be paid in advance, in such newspapers, printed therein and published at least once a week, as they may designate; or if no such newspaper is printed therein, then by posting such notice in a conspicuous place on the premises described in the application for the license, and in two or more places in which public notices are usually posted in the neighborhood. The board granting the permits may establish fees for their issue, not exceeding one dollar each, to be paid to the treasurer of the municipality.

G. L. 279, § 11,
amended.

SECTION 27. Section eleven of chapter two hundred and seventy-nine of the General Laws is hereby amended by striking out, in the third line, the word "thirty-three" and inserting in place thereof the word:— thirteen, — so as to read as follows:— *Section 11.* Whoever is convicted of a crime, punishable by fine and imprisonment either in the jail or house of correction, except a person convicted under section thirteen of chapter one hundred and thirty-eight, may, at the discretion of the court, be sentenced to be punished by imprisonment only, or by a fine only, if he shows to the satisfaction of the court that he has not before been convicted of a similar crime.

Approved May 17, 1922.

Remission of
fine or im-
prisonment
when law pre-
scribes both.

Chap. 428 AN ACT PROVIDING FOR REMOVING OR PLACING UNDER-
GROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN
THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

City electrician
of Cambridge
may order
removal of cer-
tain wires,
cables, etc.

SECTION 1. It shall be the duty of the city electrician of Cambridge, with the approval of the mayor of said city, and he shall have authority, subject to such approval, to order the removal from the streets or parts of streets of said city hereinafter named and within the times hereinafter fixed, of all wires, cables, and conductors situated above the surface of said streets or parts of streets, and of all poles and structures

in said streets used for the support of the same, except such structures, poles, wires, cables and conductors as are hereinafter excepted.

In case of any order for removal as aforesaid, or at any time upon application of any person, firm or corporation lawfully maintaining or using any wires in the streets of said city for authority to place the same underground, the city electrician, subject to such approval, shall have authority to grant locations for underground conduits, wires, cables, conductors, manholes, structures, appurtenances and poles, overhead wires and extensions for local distribution and service connections that may be necessary in order to place underground, any wires, cables, and conductors, in the streets of said city and thereby carry out the intent of this act. After the granting of any such location, the superintendent of streets of said city shall, forthwith, upon application of any person, firm or corporation interested, grant such permits for opening the streets as shall be approved by the city electrician with the approval of the mayor. Before granting any location for such an additional pole or poles the city electrician shall give notice, as provided in section twenty-two of chapter one hundred and sixty-six of the General Laws, and shall hold a hearing, and in any order granting such a pole location shall specify where such pole or poles shall be located and the kind of pole to be used.

May grant locations for underground conduits, wires, cables, etc.

Superintendent of streets to grant permits for opening streets, etc.

Notice, hearing, etc.

SECTION 2. Within thirty days after this act becomes effective, and on or before January fifteenth in each year thereafter while this act shall remain in force, the city electrician, with the approval of the mayor, shall issue an order in writing to each person, firm or corporation affected by such order, specifying the streets or parts of streets from which all wires, cables and conductors, except those expressly exempted, shall be removed during the ensuing year. Except as hereinafter provided, in making such orders the city electrician shall proceed according to the following described plan, taking the streets in the order fixed and giving the said persons, firms and corporations until the respective dates specified for completing their work of removal from the said streets: Until January first, nineteen hundred and twenty-four, for Massachusetts avenue; until January first, nineteen hundred and twenty-five, for Cambridge street; until January first, nineteen hundred and twenty-six, for Main street; Western avenue; until January first, nineteen hundred and twenty-seven, for Magazine street, from Central square, about one

Orders specifying streets from which wires, etc., shall be removed.

Plan to be followed.

thousand feet; River street, from Central square, about one thousand feet; Brattle street, from Eliot square to James street; Mount Auburn street, from Eliot square to Hawthorne street; Boylston street; Garden street from Massachusetts avenue to Chauncy street; Peabody street; Prospect street, from Cambridge street to Central square; until October first, nineteen hundred and twenty-eight, for Kirkland street; Mount Auburn street, from Putnam square to Eliot square; Putnam avenue, from Western avenue to Putnam square; Broadway; until January first, nineteen hundred and thirty, for Harvard street; Portland street; until January first, nineteen hundred and thirty-two, for Hampshire street; Beach street; Mount Auburn street, from Hawthorne street to Belmont line; Brattle street, from James street to Mount Auburn street; Magazine street.

City electrician may change order of work, etc.

Proviso.

Poles, etc., for support of wires, etc., not to be placed in streets, etc.

Failure of owners or users to remove wires, etc.

Maps, etc., to be filed by persons, etc., required to place wires, etc., underground.

If at any time the city electrician shall deem it desirable to change the order of work or limits of time above prescribed, or to substitute other streets or parts of streets for those named in this section, he shall have the right to do so, subject to such approval, provided he first obtains the written consent of all persons, firms and corporations maintaining or using poles and wires and affected by the proposed change.

SECTION 3. No person, firm or corporation shall place any poles or other structures for the support of wires, cables or conductors, except those herein especially excepted, in any of said streets or portions of streets from which all wires, cables, and conductors have been removed under the provisions of this act, except temporarily, in the case of an emergency, with the consent of said city electrician and with the approval of the mayor; and if at any time there shall remain in such streets or portions of streets any poles, structures, wires, cables or conductors which under the provisions of this act should have been removed, the city electrician, subject to such approval, shall, upon failure by the owner or user thereof to remove the same within thirty days after notice from the city electrician so to do, cause the same to be removed; and the said city may collect the expense of such removal, if any, from the owners or users, by an action at law.

SECTION 4. When any person, firm or corporation operating or intending to operate wires, cables or conductors in said city desires or is required to place the same underground in any of the streets, avenues or highways of said city and for that purpose to remove the same from above the surface thereof, and has been duly authorized so to do by the city

electrician with the approval of the mayor as provided in section one, it shall be obligatory upon such person, firm or corporation to file with said city electrician a map or maps made to scale, showing the streets, avenues or other highways which are desired or required to be used for said purposes, and giving the location, dimensions and course of the underground conduit or conductor desired or required to be constructed.

SECTION 5. The said city electrician, with the approval of the mayor, in case of the neglect or refusal of any person, firm or corporation to comply with any requirements made by him under authority of this act, may proceed in a summary manner to abate or remove any danger which he deems likely to result from non-compliance with such requirements.

Abatement, etc., of danger in case of non-compliance with requirements.

SECTION 6. This act shall not apply to long distance telephone wires, or to railway trolley, guard or span wires, or to posts for the support of lamps exclusively, or to poles used exclusively for local distribution from underground wires, cables or conductors, or for the support of railway trolley, guard or span wires, nor shall it revoke any rights already granted to any person, firm or corporation to place or maintain any conduits, pipes, wires, cables or conductors underground, but any such conduits, pipes, wires, cables or conductors laid hereafter in pursuance of any such grant shall be laid subject to such provisions of this act as are not inconsistent with said grant. For the purpose of this act, no wire, which is not connected with some central telephone office and does not extend twenty-five miles at least in a direct line from said central office, shall be deemed a long distance telephone wire.

Not to apply to certain wires, appliances, etc.

This act shall not apply to wires on a railroad right of way or to poles supporting the same outside the highway.

SECTION 7. All persons, firms or corporations owning or operating electrical wires, cables or conductors in said city shall from time to time file with the said city electrician such statement or plan of the number and general location of all their electrical conduits, wires, poles, cables and conductors, as he, with the approval of the mayor, may require.

Persons, etc., owning or operating electrical wires, etc., to file statement or plan, etc.

SECTION 8. Any person, firm or corporation whose wires or other appliances or equipment are subject to the provisions of this act may petition the department of public utilities for exemption herefrom or from any order made under authority hereof, of any wires, cables, conductors, poles, structures, manholes, surface connections or other appurtenances, or for

Petition to department of public utilities for exemption.

extension or extensions of time for compliance with the provisions of this act or of any such order, or for the review and modification thereof; and the department may from time to time by order grant any such exemption, extension or modification as it deems reasonable. Any such order entered by such department after notice to said mayor and after a public hearing shall have the same force and effect as if expressly provided herein.

Superior court may enforce provisions of act, etc.

SECTION 9. The superior court shall have jurisdiction in equity to enforce the provisions of this act or of any order passed thereunder.

SECTION 10. This act shall take effect upon its passage.

Approved May 17, 1922.

Chap.429 AN ACT AUTHORIZING THE TOWN OF HULL TO CONSTRUCT AND OPERATE AN ADDITIONAL SYSTEM OF SEWERS.

Be it enacted, etc., as follows:

Town of Hull may construct, etc., a system of main drains and common sewers, etc.

SECTION 1. The town of Hull may lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewage disposal, and may construct such sewers or drains over and under land or tide water in said town as may be necessary to conduct the sewage to the ocean, to Weir river and to Hingham bay, or to any of said waters, and, for the purpose of providing better surface or other drainage, may make, lay and maintain such drains as it deems best. And for the purposes aforesaid the town may, within its limits, make and maintain sub-drains.

May make and maintain connecting drains, etc.

SECTION 2. The town may make and maintain in said town in any way where main drains or common sewers are constructed, such connecting drains, under-drains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

Board of sewer commissioners, selectmen to act as, or town to elect, etc.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are

elected and qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from the next succeeding annual town meeting, and until their successors are elected and qualified; and thereafter at each annual town meeting, the town shall elect one member of the board to serve for three years and until his successor is elected and qualified. Any selectman may be a member of said board so elected. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all of the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

May take
lands, water
rights, etc.

Proviso.

SECTION 5. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

Recovery of
damages.

SECTION 6. The town shall by vote determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one fourth nor more than one half of the whole cost. In providing for the payment of the remaining portion of the cost of said system or systems or for the use of

Apportion-
ment of cost.

Proviso.

Assessments.

said system or systems the town may avail itself of any or all of the methods permitted by general laws, and the provisions of said general laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this act, except that interest shall be at the rate of six per cent per annum. At the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

Collector of taxes to certify payments of assessments, etc.

May borrow money.

SECTION 7. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Hull Sewerage Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Hull Sewerage Loan, Act of 1922.

Receipts, how applied.

SECTION 8. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage, or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

Clerk and superintendent of sewers, appointment, etc.

SECTION 9. Said board of sewer commissioners may annually appoint a clerk, and may appoint a superintendent of sewers, who shall not be a member of the board. It may remove the clerk or superintendent at its pleasure, and define their duties. Said board may in its discretion prescribe for the users of said sewer system such annual rentals or charges, based on the benefits derived therefrom, as it may deem proper.

Rentals and charges.

Contracts, how made, etc.

SECTION 10. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contract shall be made

or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 11. Said board may from time to time prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Hull, if there be any, and if not, then in some newspaper published in the county of Plymouth, and shall not take effect until such publications have been made.

Rules and regulations.

Publication.

SECTION 12. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans for the said system of sewerage have been approved by the department of public health. Upon application to said department for its approval, it shall give a hearing, after due notice to the public. At such hearing plans showing in detail all the work to be done in constructing said system of sewerage shall be submitted for approval by the department of public health.

Department of public health to approve plans, etc.

SECTION 13. Until the board of sewer commissioners have been elected as provided in this act or the selectmen have been authorized by vote to act as such board, the town may carry on the construction of the system of sewerage by a duly authorized committee of the town, but not later than the second annual meeting after the commencement of said work of construction. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law.

Town may carry on construction temporarily, etc.

SECTION 14. For the purpose of submission to the voters of said town, this act shall take effect upon its passage, and it shall take full effect upon its acceptance by vote of a majority of the voters of said town voting thereon at a town meeting. No expenditure shall be made and no liability incurred hereunder until such acceptance.

To be submitted to voters, etc.

Approved May 17, 1922.

*Chap.*430 AN ACT RELATIVE TO THE SAFEGUARDING OF PASSENGERS
ON THE STATION PLATFORMS OF STREET RAILWAY COM-
PANIES.

Be it enacted, etc., as follows:

G. L. 161, § 98,
amended.

Street railway
companies to
equip cars
with fenders,
etc., and to
provide pro-
tection at sta-
tion platforms.

Section ninety-eight of chapter one hundred and sixty-one of the General Laws is hereby amended by inserting after the word "devices" in the second line the following: — , and shall provide such protection, human or otherwise, at its station platforms, — so as to read as follows: — *Section 98.* A company shall equip its cars, when in use, with such head-lights, fenders, wheel guards, brakes, and other safety devices, and shall provide such protection, human or otherwise, at its station platforms, as may be required from time to time by the department.

Approved May 17, 1922.

*Chap.*431 AN ACT RELATIVE TO BIENNIAL MUNICIPAL ELECTIONS IN
THE CITY OF MELROSE.

Be it enacted, etc., as follows:

Biennial elec-
tions in city
of Melrose.

SECTION 1. Beginning with the second Tuesday of December in the year nineteen hundred and twenty-two, municipal elections in the city of Melrose for the choice of mayor, members of the board of aldermen and members of the school committee, shall be held biennially, on the second Tuesday of December in every even-numbered year.

Terms of
mayor and
aldermen.

Aldermen at
large elected in
1921 to con-
tinue to hold
office until,
etc.

Inauguration
meeting, when
held.

Proviso.

SECTION 2. The terms of the mayor and the members of the board of aldermen of said city shall be for two years and until their successors are duly elected and qualified in their stead. The aldermen at large elected in nineteen hundred and twenty-one shall continue to hold office until the election and qualification of their successors who shall be elected at the biennial election in the year nineteen hundred and twenty-four. The inauguration meeting of the city government shall be held on the first Monday of January following the election of its members; provided that, if the first Monday of January falls on a holiday, the said meeting shall take place on the following day.

School com-
mittee, elec-
tion, terms,
etc.

SECTION 3. At the biennial municipal election to be held in nineteen hundred and twenty-two and at every biennial election thereafter, except as otherwise provided in this section, all members of the school committee to be elected shall be chosen for terms of four years each. The members of said

committee elected in nineteen hundred and twenty shall continue to hold office until the election and qualification of their successors, who shall be elected at the biennial election in the year nineteen hundred and twenty-four. At the municipal election to be held in the year nineteen hundred and twenty-four, six members of the school committee shall be elected to fill the vacancies occurring in the following January, and of the members so elected two shall be elected for terms of two years each and four for terms of four years each.

SECTION 4. Chapter one hundred and sixty-two of the acts of eighteen hundred and ninety-nine, as amended in section fifty-one by section one of chapter two hundred and thirty-five of the acts of nineteen hundred and two, is hereby further amended by striking out said section fifty-one and inserting in place thereof the following: — *Section 51.* If there is no choice of a mayor, or if the person elected mayor shall refuse to accept the office, or shall die before qualifying, or if in the first eighteen months of the term of office, a vacancy in said office shall occur, the board of aldermen shall forthwith call a meeting for a new election, and the same proceedings shall be had in respect thereto as are hereinbefore provided for the election of mayor, and shall be repeated until the election of a mayor is completed. But if such vacancy in the office of mayor shall occur in the last six months of the term for which he is elected, such vacancy shall be filled by the board of aldermen by a majority vote of all its members. If the full number of members of the board of aldermen has not been elected, or if a vacancy in the office of alderman shall occur in the first six months of the term for which aldermen are elected, it shall be filled by an election by the voters of the whole city in the case of an alderman at large, or by an election by and from the voters of the ward entitled to such representative in the case of a ward alderman, and the board of aldermen shall forthwith call a meeting for a new election. But if such vacancy shall occur in the last eighteen months of the term for which aldermen are elected, it shall be filled by the board of aldermen by a majority vote of all its members.

1899, 162, § 51, etc., amended.

Vacancy in office of mayor, filling, etc.

Vacancy in board of aldermen, filling, etc.

SECTION 5. Such provisions of chapter one hundred and sixty-two of the acts of eighteen hundred and ninety-nine, and acts in amendment thereof and in addition thereto, as are inconsistent with this act are hereby repealed.

Repeal.

SECTION 6. A vote on the question of granting licenses for the sale of certain non-intoxicating beverages, as required

Biennial vote on certain question of

granting
licenses.

by the provisions of chapter one hundred and thirty-eight of the General Laws or by any other general provision of law, as long as said provisions shall be in effect, shall, beginning with the year nineteen hundred and twenty-two, be taken biennially in the city of Melrose at the biennial election herein provided for.

To be sub-
mitted to
voters, etc.

SECTION 7. The provisions of sections one to six, inclusive, of this act shall be submitted to the voters of the city of Melrose for their acceptance at the state election in the current year in the form of the following question to be printed on the official ballot: "Shall sections one to six, inclusive, of an act passed by the general court in the year nineteen hundred and twenty-two entitled 'An Act relative to biennial municipal elections in the city of Melrose' be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, then sections one to six, inclusive, of this act shall take effect in said city; otherwise they shall not take effect.

Chap. 102 of
acts of current
year, repealed.

SECTION 8. Chapter one hundred and two of the acts of the current year is hereby repealed.

Approved May 17, 1922.

**Chap.432 AN ACT TO PREVENT DOUBLE TRIALS IN DISTRICT COURTS
AND BEFORE TRIAL JUSTICES.**

Be it enacted, etc., as follows:

G. L. 263, new
section after
§ 8.

Double trials
in district
courts, etc.,
prevented.

Chapter two hundred and sixty-three of the General Laws is hereby amended by inserting after section eight the following new section: — *Section 8A.* A person shall not be held to answer in a district court or before a trial justice to a second complaint for an offense for which he has already been tried upon the merits in said court or before such justice.

(The foregoing was laid before the governor on the eleventh day of May, 1922, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

**Chap.433 AN ACT RELATIVE TO LOANS BY THE CITY OF WORCESTER
FOR A JUNIOR HIGH SCHOOL BUILDING.**

Be it enacted, etc., as follows:

City of
Worcester may
borrow money
for school
purposes.

SECTION 1. For the purpose of constructing a junior high school building and originally equipping and furnishing the same, the city of Worcester may borrow from time to time

such sums as may be necessary, not exceeding, in the aggregate, nine hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Worcester Junior High School Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable within ten years from their dates. Indebtedness incurred under this act shall be in excess of the amount authorized by chapter two hundred and eleven of the Special Acts of nineteen hundred and sixteen, as amended by chapter one hundred and thirty-eight of the acts of nineteen hundred and twenty, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Worcester
Junior High
School Loan,
Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 20, 1922.

AN ACT AUTHORIZING THE TOWN OF NATICK TO PAY A SUM OF MONEY TO THE WIDOW OF CHARLES W. MATTHEWS. Chap. 434

Be it enacted, etc., as follows:

SECTION 1. The action of the town of Natick, at the annual town meeting for the year nineteen hundred and twenty-two, in voting to pay the sum of two thousand dollars to Carrie Matthews on account of the death of her husband, Charles W. Matthews, who was killed while performing his duties as a member of the police department of said town, is hereby made valid, and the town is hereby authorized to appropriate and pay the said sum of two thousand dollars as if the said vote and appropriation had been made after the passage of this act.

Town of Natick
may pay sum
of money to
widow of
Charles W.
Matthews.

SECTION 2. This act shall take effect upon its passage.

Approved May 20, 1922.

AN ACT TO CONTROL MORE EFFECTIVELY THE SALE OF SECURITIES. Chap. 435

Whereas, The deferred operation of this act would cause substantial harm and inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter one hundred and ten A of the General Laws, inserted by section one of chapter four hundred and ninety-nine of the acts of nineteen hundred and

G. L. 110A, § 6,
etc., amended.

twenty-one, is hereby amended by striking out, in the fourteenth and fifteenth lines, the words "and the further sale of such security may be enjoined as hereinafter provided", — and by striking out all after the word "effect" in the twentieth line and inserting in place thereof the following: — Upon the making of such finding, such security shall not be sold or offered for sale until, and except in accordance with, further action by the commission or by the court as provided in this chapter, — so as to read as follows: — *Section 6.* If, upon receipt and examination of the notice or of any statement required by the two preceding sections the commission deems the information inadequate it shall make such further investigation as it shall deem necessary or advisable, and may require from the person filing such statement or from any officer of the corporation issuing such security such further information as may in its judgment be necessary to enable it to ascertain whether the sale of such security would be fraudulent or would result in fraud. The failure to submit the information required by the commission within such reasonable time as it may specify shall in the absence of satisfactory explanation or of extension by the commission of the time for filing such information, be deemed prima facie evidence of fraud. Whenever the commission is of opinion from the information disclosed or in its possession that the sale of any security under section four or five or of any security exempted under any provision of section three, is fraudulent or would result in fraud, it shall make a finding to that effect. Upon the making of such finding, such security shall not be sold or offered for sale until, and except in accordance with, further action by the commission or by the court as provided in this chapter.

Control of sale of securities. Commission may require further information, etc.

Failure to submit information to be deemed prima facie evidence of fraud.

Commission to make findings, etc.

G. L. 110A, § 7, amended.

Persons aggrieved by orders or findings of commission, etc., entitled to public hearing, etc.

SECTION 2. Section seven of said chapter one hundred and ten A is hereby amended by inserting after the word "order" in the first line the words: — or finding, — and also by striking out, in the second line, the word "act" and inserting in place thereof the word: — chapter, — so as to read as follows: — *Section 7.* Any interested person aggrieved by any order or finding of the commission under any provision of this chapter, or by any refusal or failure of the commission to make an order under any of said provisions, shall be entitled to a public hearing thereon before a majority of the members thereof, at which he may be represented by counsel, and may submit any relevant evidence. When so requested by any such person, the commission shall rule upon any

question of law properly arising in the course of such hearing. Any failure or refusal of the commission to rule upon such a question within ten days after such request shall be taken and recorded as a ruling adverse to the person requesting the same. At the conclusion of such hearing, the commission shall reconsider and review the subject matter of such appeal, and shall, within twenty days thereafter, affirm, modify or rescind the order or refusal appealed from. The supreme judicial and superior courts shall have jurisdiction in equity to review, modify, amend or annul any ruling, finding of fact, or order of the commission, and the procedure before said court in relation thereto shall conform to the provisions of section five of chapter twenty-five, so far as applicable.

Certain courts may review rulings, etc.

SECTION 3. Said chapter one hundred and ten A, as amended in section eight by section one of chapter three hundred and seventeen of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section eight and inserting in place thereof the following:—

G. L. 110A, § 8, etc., amended.

Section 8. No person shall sell securities within this commonwealth, whether exempted under section three or not, as broker or salesman, except as provided in paragraph (b) of section ten, unless he has been registered by the commission.

Registration of brokers and salesmen selling securities.

Any person may become registered upon complying with the provisions of this section. An application for such registration shall state the applicant's name and residence, and the place where the registered business is to be conducted, shall be accompanied by a certificate of two citizens of the commonwealth that the applicant is, in their opinion, honest and of good repute, or, in case the applicant is a partnership or corporation, that the reputation of its members or officers for honesty and fair dealing is good. Every registration under this section shall expire on the thirty-first day of December in each year, but the same may be renewed; provided, however, that registrations made after the effective date of this chapter and during the year nineteen hundred and twenty-one shall not expire until the thirty-first day of December, nineteen hundred and twenty-two. The fee for such registration and for each annual renewal thereof shall be fifty dollars in case of brokers and two dollars in case of salesmen. Said fees shall be paid into the state treasury. No

Applications, what to state, etc.

Expiration of registrations.

Proviso.

Registration and renewal fees.

non-resident person not having a usual place of business in the commonwealth shall be so registered unless and until he has filed with the commission a writing, in a form to be approved by the attorney-general, appointing the secretary of

Appointment of attorney by non-resident registrants for service of process, etc.

Persons convicted of a felony not entitled, as a matter of right, to registration, etc.

Commission may revoke broker's or salesman's registration, etc.

the commission or his successor in office to be his true and lawful attorney upon whom all lawful processes in any action or proceeding against him may be served, and in such writing shall agree that any lawful process against him which is served on said attorney shall be of the same legal force and validity as if in fact served on the applicant, and that the authority shall continue in force so long as any liability remains outstanding against the applicant in this commonwealth. No person shall be entitled, as a matter of right, to registration hereunder if he, or any member of the firm, in case of a partnership, or, in case of a corporation, any officer thereof, has been convicted of a felony. Conviction of such an offense or of a violation of any provision of this chapter shall render void the registration of the person convicted or of the firm or corporation of which he is a member or officer, but the commission may, after hearing, restore such registration. If it appears to the commission that any registrant is conducting his business as a broker or salesman in a fraudulent manner or wilfully and purposely evading or seeking to nullify the provisions of this chapter, the commission, upon notice to the registrant, may revoke such broker's or salesman's registration. Upon the revocation of his registration, a broker or salesman shall not be regarded as registered nor be entitled to re-registration, nor shall any firm of which he is a member, nor any corporation of which he is an officer, a manager or agent be regarded as registered or be entitled to registration, under the provisions of this chapter unless and until such revocation shall be annulled by the commission or by the court.

Approved May 20, 1922.

Chap. 436 AN ACT EXTENDING THE CORPORATE POWERS OF THE THORNDIKE COMPANY.

Be it enacted, etc., as follows:

Thorndike Company may supply water to part of town of Warren, etc.

SECTION 1. The Thorndike Company, a corporation having a usual place of business in Warren, is hereby authorized to supply water for the extinguishment of fires and for domestic and other purposes to the inhabitants of that part of the town of Warren which is known as precinct B of said town, and which is included within the following boundary lines, to wit: — Beginning at a bound marked number one located in the boundary line between the towns of Palmer and Warren westerly from the Warren town farm house, thence running southerly in a straight line to bound marked

number two located at the intersection of roads near the Plinney Dodge house; thence running southerly in a straight line to bound marked number three located at the intersection of roads westerly of the house of Martin Mullen; thence running southerly in a straight line to bound marked number four located at the intersection of roads westerly and near the house of Calvin Bliss; thence running southerly in a straight line to bound marked number five located in the boundary line between the towns of Warren and Brimfield on the road leading to Brimfield past the house of Amos Bliss; thence running north sixty-four degrees twenty-four minutes west along said boundary line between the towns of Warren and Brimfield to the Quaboag river; thence running northerly along said river to the boundary line between the towns of Palmer and Warren at said Quaboag river; thence running north thirty-five degrees forty-seven minutes east along said boundary line between the towns of Palmer and Warren to the place of beginning.

SECTION 2. For the purposes aforesaid the said Thorndike Company may construct and lay conduits, pipes and other works under or over any lands, water courses, railroads, railways and public or private ways, and along such ways in said district above described, and for the purpose of constructing, maintaining and repairing such conduits, pipes or other works, and for all proper purposes of this act, may enter upon and dig up such lands and ways; provided, however, that the said company shall not enter upon or dig up any private land or private way except with the consent of the owner or owners thereof, or any public way in the town of Warren, except with the consent of the selectmen thereof; and said company shall restore to the satisfaction of the selectmen of said town the public ways dug up or otherwise disturbed therein, and shall pay all damages sustained by any person in consequence of any act or neglect upon the part of said company, its agents or employees, in digging up or otherwise disturbing any lands or public or private ways under authority hereof.

May construct and lay conduits, pipes, etc.

Proviso.

SECTION 3. The said Thorndike Company may distribute water throughout the district aforesaid or any part thereof, may regulate the use of such water and fix and collect rates therefor; provided, that no source of water supply shall be used for domestic purposes without first obtaining the advice and approval of the department of public health and the town of Warren, or any fire district now or hereafter estab-

May regulate use of water, fix and collect rates, etc.

Proviso.

lished in that part of the territory thereof above described, or any individual or corporation in said district above described, may make such contracts with the said company for the use of water for the extinguishment of fires and for other purposes as may be agreed upon between such town, fire district, individual or corporation and the said company, and said company may establish and maintain fountains and hydrants within said district and may relocate or discontinue the same.

Act, how
construed.

SECTION 4. Nothing contained in this act shall be so construed as to prevent or hinder the town of Warren, or any fire or water district now or hereafter established in that part of the territory thereof described in section one of this act, from establishing in said district a system of water supply or from obtaining a supply of water for the use of the inhabitants thereof.

May contract
with Central
Massachusetts
Electric Com-
pany for sale,
etc., of
electricity.

SECTION 5. The said Thorndike Company may contract with the Central Massachusetts Electric Company, its successors or assigns, for the sale and delivery at any power-station of said Thorndike Company, of electricity for light, heat and power, with the approval of the department of public utilities.

Powers of
Thorndike
Company not
abridged.

SECTION 6. Nothing herein contained shall be so construed as to abridge the powers heretofore granted to said Thorndike Company.

SECTION 7. This act shall take effect upon its passage.

Approved May 20, 1922.

Chap. 437 AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF WATERTOWN MAY ACQUIRE CERTAIN LAND FOR PUBLIC PURPOSES.

Be it enacted, etc., as follows:

Time extended
within which
town of Water-
town may
acquire certain
land for public
purposes.

SECTION 1. The time within which the town of Watertown is authorized to take, or otherwise acquire, certain land under chapter four hundred and seventy-five of the acts of nineteen hundred and twelve, as extended by chapter one hundred and four of the Special Acts of nineteen hundred and seventeen, is hereby again extended for a further period of five years from April tenth, nineteen hundred and twenty-two, and all the powers, privileges, authorities and requirements of said chapter are extended accordingly.

SECTION 2. This act shall take effect upon its passage.

Approved May 20, 1922.

AN ACT PROVIDING FOR THE GRADING AND INSPECTION OF ONIONS. *Chap. 438*

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by inserting after section one hundred and seventeen, under the heading onions, the following new sections: — *Section 117A*. The commissioner of agriculture, in this and the five following sections called the commissioner, may establish and promulgate official grades or standards for onions produced in the commonwealth for purposes of sale, and may from time to time change or modify said grades or standards; provided, that the grades and standards promulgated under the authority of this act shall conform at all times to the published grades for northern grown onions of the United States department of agriculture. For said purposes the commissioner shall hold public hearings in such places in the commonwealth as he may deem proper. Notice of such hearings shall be advertised in a newspaper or newspapers of general circulation for three successive weeks prior thereto, and shall specify the date and place of the hearing and that it is to be held for the purpose of obtaining information with a view to establishing grades or standards for onions, if deemed advisable. *Section 117B*. Upon the establishment of such grades or standards, notice thereof shall be published for three successive weeks in three such newspapers, stating the grade or grades so established and the date on which such establishment is to take effect. The commissioner shall distribute information relative to the grades or standards so established. *Section 117C*. After notice of the establishment of grades or standards as provided in section one hundred and seventeen B, it shall be unlawful to sell or offer for sale or to ship or deliver for shipment any onions as being of a grade established as aforesaid unless the product in fact conforms to said grade. Violation of this section shall be punished by a fine of not more than fifty dollars. *Section 117D*. The commissioner may employ inspectors to inspect onions at the request of any person interested, for the purpose

G. L. 94, new sections after § 117.

Commissioner of agriculture may establish grades or standards for onions, etc.

Proviso.

Public hearings, notice, etc.

Publication of notice upon establishment of grades, etc.

Sale, etc., of onions not conforming to grade prohibited.

Penalty.

Inspection of onions and issuance of certificates, etc.

Certificates to
be prima facie
evidence, etc.

Rules and
regulations.

Fees.

Powers of
commissioner.

G. L. 128, § 8,
amended.

Commissioner
of agriculture
may enforce
certain laws,
etc.

of determining and certifying the quality and condition thereof and other material facts relative thereto. Certificates issued in pursuance of such inspection and executed by the inspector shall state the date and place of inspection, the name of the person requesting the same, and the grade, if grades have been established, condition, and approximate quality of the onions inspected and any other pertinent facts that the commissioner may require. Such a certificate and all federal certificates relative to the condition or quality of onions shall be prima facie evidence in all the courts of the commonwealth of the facts required as aforesaid to be stated therein. *Section 117E.* The commissioner may prescribe rules and regulations for carrying out the purposes of sections one hundred and seventeen A to one hundred and seventeen F, inclusive, including the fixing of fees for inspections under section one hundred and seventeen D. All said fees shall be paid monthly into the state treasury. *Section 117F.* The commissioner, in person or by deputy, shall have free access at all reasonable hours to any building or other place where onions are being marketed or held for commercial purposes. He shall also have power in person or by deputy to open any bag, crate or other container containing onions and examine the contents thereof, and may upon tendering the market price, take samples therefrom or remove the markings therefrom.

SECTION 2. Chapter one hundred and twenty-eight of the General Laws is hereby amended by striking out section eight and inserting in place thereof the following: — *Section 8.* The commissioner may enforce sections one hundred to one hundred and seven, inclusive, one hundred and nine, one hundred and twelve and one hundred and seventeen C of chapter ninety-four, and prosecute all violations thereof.

Approved May 20, 1922.

Chap. 439 AN ACT PROVIDING FOR THE RECOVERY OF DAMAGES IN CERTAIN CASES FOR THE DEATH OF PERSONS NOT IN THE EMPLOY OF THE DEFENDANT.

Be it enacted, etc., as follows:

G. L. 229, § 5,
amended.

Section five of chapter two hundred and twenty-nine of the General Laws is hereby amended by inserting after the word "negligence", the first time it occurs in the second line, the words: — or by his wilful, wanton or reckless act, — and also by inserting after the word "negligence", the second

time it occurs in said line, the words: — or wilful, wanton or reckless act, — so as to read as follows: — *Section 5.* Except as provided in sections one, two and three, a person who by his negligence or by his wilful, wanton or reckless act, or by the negligence or wilful, wanton or reckless act of his agents or servants while engaged in his business, causes the death of a person in the exercise of due care, who is not in his employment or service, shall be liable in damages in the sum of not less than five hundred nor more than ten thousand dollars, to be assessed with reference to the degree of his culpability or of that of his agents or servants, to be recovered in an action of tort, commenced within two years after the injury which caused the death by the executor or administrator of the deceased, to be distributed as provided in section one.

Actions for
death in
general.

Approved May 20, 1922.

AN ACT DISSOLVING CERTAIN ADDITIONAL CORPORATIONS. *Chap. 440*
Be it enacted, etc., as follows:

SECTION 1. Such of the following named corporations as are not already legally dissolved are hereby dissolved, subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws: —

Certain addi-
tional corpora-
tions dissolved.

A. B. C. Shoe Company, The.
Adams Pharmacy, Incorporated.
Advance Industrial Corporation.
Air Brush Equipment Co.
Alco Motor Company.
Alden, Birnie & Company, Incorporated.
Alexander-Porter Company.
Allied Manufacturers' Export Corporation, The.
Alpha Investment Company.
American Aerial Corporation.
American Association of Doll and Toy Manufacturers,
Inc.
American Automobile Society Inc., The.
American Eagle Garment Corporation.
American Electro-Plating & Embossing Co.
American Motion Pictures, Inc.
American Rope Co.
American Sales Machine Company, The.
Anlim Market Company.
Anita Specialty Co.

Certain additional corporations dissolved.

Atlantic Insurance Agency, Inc.
Aug. S. Spiegel Company.
Automotive Corporation, The.
Avery Chemical Company.
Avon Cloak & Suit House, Inc.
B & S Transportation Co.
Bankers Publicity Service Company.
Banner Manufacturing Company.
Barker-Bond Lumber Company.
Beacon Hill Realty Co.
Beaver Contracting and Engineering Corporation, The.
Berkshire Cone Company, Incorporated.
Berkshire Hills Sanatorium, Inc., The.
Blake-Corson Company.
Bonwit Teller Company of Mass.
Boston Creamery Co.
Boston Gardening Company.
Boston-Norfolk Company.
Boston Produce Co.
Boston Society of Singers, Inc.
Boston Travelling Goods Company.
Brighton Cold Storage Warehouse Company.
Brockton Crimping and Perforating Company Inc.
Brookline Press, The.
Burr Appliance Company.
C. A. Eagleston Company.
C. & C. Arch Relocating Shoe Company.
C. R. C. Manufacturing Co.
California-Oregon Ore Company.
Carver Hill Farms, Incorporated.
Catherine Creek Lumber Company.
Charles E. Holske Company, Incorporated, The.
Coca-Cola Bottling System, Inc.
Columbus Avenue Garage & Taxi Service Inc.
Constant Pressure Engine Company, The.
Cosmopolitan Investment Company.
Cottage Park Land Co.
Danielson Cotton Company.
Domestic Utilities Company of New England.
Dowling-Garrick Co. Inc.
Dussault School of Languages of Massachusetts, Inc.
E. B. Roberts Construction Company, The.
E. J. Dickey Co., Inc.
E. P. Torrey Dry Goods Company.

Certain additional corporations dissolved.

Ederside Screen and Shade Co., Inc.
 Edgar J. Thayer, Inc.
 Electrol Battery Company.
 Elliott Shoe Co. of Boston.
 Euclid Broach and Machine Company.
 Federal Audit Company, The.
 Flanders-Farwell, Inc.
 French Products Manufacturing Company.
 Friend Soap Company.
 Gale-Sawyer Company, The (1907).
 Gaynor's Lunch, Inc.
 Gibson and Company Inc., (1920).
 Goldberg Company Inc., The.
 Gray and Davis Factory Corporation.
 Great Barrington Electric Light Company.
 Grove Hall Tire Exchange, Inc.
 H. M. Nickerson Sales Co.
 H. Pill and Brother, Incorporated.
 Hare's Motors of New England, Inc.
 Harris Packless Valve Company.
 Haverhill Fit Well Counter Co.
 Hendry & Co. Inc.
 Hensel-Ziegler Trimming Company, The.
 Highway Transportation Company.
 Hub Auto Supply Co.
 Hub Dyestuff and Chemical Company.
 Illustrated News Publishing Company.
 Income Service Corporation, The.
 Industrial Manufacturing Corporation.
 J. H. Tredennick Inc.
 Jamaica Used Car Company.
 John Assies Construction Co.
 K. Burns & Sons, Inc.
 Keith-Wilson Co. Inc.
 Kenworthy Motors of New England, Inc.
 Labor League Cooperative Association, Inc.
 Lake Placid Camp for Boys Inc., The.
 Lakeside Company.
 Lamp Shop, Inc.
 Lawler Bros. Theatre Co., The.
 Lee Clay Products Company.
 Lee Fire Brick Company.
 Leonard Laboratories, Inc.
 Liquid Fuel Equipment Corporation.

Certain additional corporations dissolved.

Lynn Auto Sales Co. Inc.
Madison Tire & Rubber Company, Inc. of New England.
Mandell Company, The.
Marcus Musical Attractions, Inc., The.
Marshall B. Hall, Inc.
Mason Machine Works (1873).
Massachusetts Merchandise Association, Inc.
Masters Manufacturing Company.
Mathey Brothers, Incorporated.
Moore-Robbins Motor Car Co.
Moore Spring Hinge and Manufacturing Company.
Murphy Shipbuilding Company.
Mutual Securities Company.
Mystic River Ship Company.
Nanene Hair Grower Company, The.
Naples Pharmacy, Inc.
National Ice Cream Cone Company.
National Restaurant, Inc.
Near East Trading Company.
New England American Motor Car Corporation.
New England Collection Company.
New England Cone Co.
New England Live Stock & Truck Farm, Inc.
New England Nitrogen Company.
New Method Photo Company.
O. & C. Furniture Co., Inc.
O'Brien & Indessi Company, Inc.
Old Colony Leather Co.
Packard Auto Exchange Company.
Parisian Furriers, Inc., The.
Pero's Cash Stores, Inc.
Pilgrim Farm, Inc.
Pillanuver Independent Association, Inc.
Pittsburg Water Heater Company of Massachusetts.
Platt-Margeson Aircraft Co., Inc.
Polish National Export Corporation.
Preston Cast Die Corporation.
Puritan Beverage Company.
Revere Park Square Garage Company.
Richman-Bramberg Co.
Robertson Counter Company.
Robinson Equipment Company.
Roto Oil Burner Co.

Rowe Bed Hammock Co.
 Roxbury Motor Mart, Inc.
 Royal Dress Manufacturing Company.
 Royal Tire & Rubber Company.
 Samuel Cohen Company, Inc.
 Scenic Amusement Company.
 Scodesco Rubber Heel Co.
 Scolponeti and Costello Incorporated.
 Seeing America First, Incorporated.
 Shay Bros. (Incorporated).
 Sleeper Marine Agencies, Inc.
 Spencer Hotel Company.
 Standard Hotel & Restaurant Supply Company.
 Standard Welding Co., Inc.
 Summer and Winter Fur Company.
 Talking Machine Shops, Incorporated, The.
 Taurus Publishing Company.
 Tavern Lunch Company.
 Teco Clothing Company, Inc.
 Tool and Machine Co. of Boston, The.
 United Bedding Stores Co.
 United Blacking & Stain Co.
 United Electric Service, Incorporated (1919).
 United States Automobile Association Inc.
 United States Lunch Machine Corporation.
 Universal Stamp Exchange and Supply Corporation.
 University Motion Picture Company.
 Vermont-Boston Lumber Co.
 Vinal Taxi Service, Inc.
 Virginia Products Co., The.
 Walter T. White Co.
 Walter Wojtasinski Chemical Company, Inc.
 Washington Restaurant, Incorporated.
 Webster Press, Incorporated, The.
 Western Drug Company.
 Whitcomb's Concert Band Inc.
 William J. McCarthy Company, The.
 William Peter William Co.
 Willow Creek Gas and Oil Company.
 Winchester Food Shop Inc.
 Winton Clothing Company.
 Yankee Shoe Repairing Co.
 Young's Lunch Co. Inc.

Certain addi-
 tional corpora-
 tions dissolved.

Pending suits
not affected,
etc.

SECTION 2. Nothing in this act shall be construed to affect any suit now pending by or against any corporation mentioned herein, or any suit now pending or hereafter brought for any liability now existing against the stockholders or officers of any such corporation, or to revive any charter previously annulled or any corporation previously dissolved, or to make valid any defective organization of any of the supposed corporations mentioned herein.

Proceedings in
suits upon
choses in
action, how
brought, etc.

SECTION 3. Suits upon choses in actions arising out of contracts sold or assigned by any corporation dissolved by this act may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defence of which he might have availed himself in a suit upon the claim by the corporation, had it not been dissolved by this act.

No relief from
obligation to
file tax return,
etc.

SECTION 4. Nothing in this act shall be construed to relieve the last person who was the treasurer or assistant treasurer, or, in their absence or incapacity, who was any other principal officer, of each of the corporations named in this act, from the obligation to make a tax return as of April first following the date of dissolution and swear to the same as required by section thirty-five of chapter sixty-three of the General Laws. The tax liability of each of the corporations named in this act shall be determined in accordance with the existing laws of this commonwealth.

Approved May 20, 1922.

Chap. 441 AN ACT RELATIVE TO THE SALARY OF THE AGENT OF THE
BOARD OF REGISTRATION IN PHARMACY.

Be it enacted, etc., as follows:

G. L. 13, § 25,
amended.

Section twenty-five of chapter thirteen of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following:— The board shall appoint and fix the compensation, with the approval of the governor and council, of an agent who shall be allowed his necessary traveling expenses, — so as to read as follows:—
Section 25. The board shall appoint and fix the compensation, with the approval of the governor and council, of an agent who shall be allowed his necessary traveling expenses. He shall inspect drug stores and make a daily report of his doings pertaining thereto, and report all violations of the laws relating to pharmacy.

Board of
registration in
pharmacy,
agent, appoint-
ment, compen-
sation, duties,
etc.

Approved May 20, 1922.

AN ACT RELATIVE TO THE POWERS OF THE FEDERATED JEWISH CHARITIES OF BOSTON. *Chap.442*

Be it enacted, etc., as follows:

SECTION 1. The Federated Jewish Charities of Boston, a corporation organized under general laws, may at meetings duly called for the purpose adopt by-laws regulating the custody, investment and management of the whole or any part of its funds or property heretofore or hereafter received by it by gift, bequest or devise, to be devoted by said corporation to the purposes for which it is or may be incorporated, and may provide that any or all of such by-laws shall not be subject to amendment so as to affect the custody, management or investment of such property or the application of the income or proceeds thereof; provided, however, that such by-laws shall not affect, change or limit the purposes to which such property is directed to be devoted by the testator or donor of such property.

Federated Jewish Charities of Boston may adopt certain by-laws, etc.

Proviso.

SECTION 2. An addition to or change of the purposes of said corporation shall not affect the application of any gift, devise or bequest made to said corporation prior to the making of such addition or change, or of the proceeds of such gift, devise or bequest, if by the terms of any by-law theretofore adopted by said corporation, the application of such gift, devise or bequest is limited to the purpose for which said corporation was organized at the time of the receipt of such gift, devise or bequest.

Change of purposes of corporation not to affect application of any gift, etc.

Approved May 20, 1922.

AN ACT RELATIVE TO THE MEMBERSHIP OF THE EMPLOYEES OF THE NORFOLK COUNTY TUBERCULOSIS HOSPITAL AND THE NORFOLK COUNTY AGRICULTURAL SCHOOL IN THE NORFOLK COUNTY RETIREMENT ASSOCIATION. *Chap.443*

Be it enacted, etc., as follows:

SECTION 1. The employees of the Norfolk county tuberculosis hospital and of the Norfolk county agricultural school shall be deemed to have become members of the Norfolk county retirement association established under chapter thirty-two of the General Laws, or the corresponding provisions of earlier laws, on January first, nineteen hundred and twenty-two, and shall be exempt from the making of deposits to the annuity and pension fund of said association required by section twenty-four of said chapter to cover the period be-

Certain employees to be deemed to have become members of Norfolk county retirement association, etc.

tween July first, nineteen hundred and twelve and January first, nineteen hundred and twenty-two.

Said employees to be subject to certain provisions of law, etc.

SECTION 2. Said employees shall otherwise be subject to all the provisions of said chapter thirty-two applicable to said association and to the members thereof, and the benefits payable to such employees under the provisions of section twenty-five of said chapter shall be based on the deposits made by said employees from and after January first, nineteen hundred and twenty-two.

To be submitted to Norfolk county commissioners. Proviso.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of the county of Norfolk; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 20, 1922.

Chap.444 AN ACT EXTENDING THE CLOSE SEASON ON THE TAKING AND POSSESSION OF BLACK BASS AND PROHIBITING THE SALE THEREOF.

Be it enacted, etc., as follows:

G. L. 130, § 64, etc., amended.

Chapter one hundred and thirty of the General Laws, as amended in section sixty-four by chapter one hundred and ninety-seven of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 64.* No person shall take or have in possession a black bass or any part thereof between December first and June thirtieth of the year following, both dates inclusive, or at any time have in possession a black bass less than ten inches in length unless such bass was taken by a person lawfully fishing and is immediately returned alive to the water whence it was taken.

Close season for black bass.

Sale, etc., prohibited, except, etc.

Except as provided in the following section, it shall be unlawful at any time to sell, offer for sale or have in possession for the purpose of sale a black bass taken from the waters of this commonwealth.

Approved May 20, 1922.

Chap.445 AN ACT MAKING CERTAIN CHANGES IN THE MILITIA LAW.

Be it enacted, etc., as follows:

G. L. 33, § 157, par. (b) and (c), struck out.

SECTION 1. Section one hundred and fifty-seven of chapter thirty-three of the General Laws is hereby amended by striking out paragraphs (b) and (c).

G. L. 33, § 160, amended.

SECTION 2. Section one hundred and sixty of said chapter thirty-three is hereby amended by striking out the word

"five", where it occurs the second time in the eighth line, and inserting in place thereof the word:—two,—so as to read as follows:—*Section 160.* There shall annually be allowed and paid for postage, printing, stationery, care of property, equipment, military expense, including clerical assistance: to each brigade headquarters, one hundred and fifty dollars; to each regimental headquarters, twelve hundred dollars, and fifty dollars for every company in the command; to each separate battalion or squadron, and to the first corps of cadets, one hundred and fifty dollars for each company therein; and to each company, five hundred dollars, and two dollars for each enlisted man attached thereto or enrolled therein, not exceeding the maximum enlisted strength allowed by law.

Militia, land forces, allowance to headquarters, etc., for certain expenses.

Approved May 20, 1922.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO PENSION CHARLOTTE E. STEWART. Chap.446

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge may pay to Charlotte E. Stewart, for twenty-seven years an employee in its library department, an annual pension equal to one half the rate of compensation received by her during the last year of her employment by said city; provided, that she is retired prior to December thirty-first in the current year.

City of Cambridge may pension Charlotte E. Stewart.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved May 20, 1922.

AN ACT REVIVING THE HOLYOKE HARMONIOUS AID SOCIETY. Chap.447

Be it enacted, etc., as follows:

The Holyoke Harmonious Aid Society, a corporation dissolved by chapter one hundred and fifty-seven of the Special Acts of nineteen hundred and seventeen, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed.

Holyoke Harmonious Aid Society revived.

Approved May 20, 1922.

*Chap.*448 AN ACT RELATIVE TO THE PURPOSE OF INCORPORATION AND TO THE VALUE OF REAL ESTATE TO BE HELD BY THE WILLIAMS CHAPTER, THE ZETA OF BETA THETA PI, SUCCESSOR IN TITLE TO THE TRUSTEES OF THE PSI OMEGA FRATERNITY IN WILLIAMS COLLEGE.

Be it enacted, etc., as follows:

1914, 232, § 1,
amended.

Trustees of the
Psi Omega
Fraternity in
Williams
College, in-
corporation,
purposes, etc.

SECTION 1. Section one of chapter two hundred and thirty-two of the acts of nineteen hundred and fourteen is hereby amended by inserting after the word "fraternity" in the sixth line the words: — and of providing a place of meeting for social and educational purposes, — so as to read as follows: — *Section 1.* Arthur N. Pack, Carl E. Glock, Samuel Scriven Evans, Junior, and Charles Bach Utley, their associates and successors, are hereby made a corporation under the name of the Trustees of the Psi Omega Fraternity in Williams College, for the purpose of holding and managing the real estate and personal property of the said fraternity and of providing a place of meeting for social and educational purposes, with the powers and privileges and subject to the duties, liabilities and restrictions set forth in the General Laws now or hereafter in force relating to such corporations.

1914, 232, § 3,
amended.

SECTION 2. Section three of said chapter two hundred and thirty-two is hereby amended by inserting after the word "corporation" in the first line the words: — or its successor in title, The Williams Chapter, The Zeta of Beta Theta Pi, — and by striking out, in the fourth line, the word "thirty-five" and inserting in place thereof the words: — one hundred, — so as to read as follows: — *Section 3.* The said corporation or its successor in title, The Williams Chapter, The Zeta of Beta Theta Pi, may receive, purchase, hold and convey real and personal property for the use of said fraternity: *provided*, that the value of the real estate so held at any time shall not exceed one hundred thousand dollars; and said property shall not be exempt from taxation.

Said corpora-
tion or its
successor in
title may hold,
etc., property.

Proviso.

Approved May 20, 1922.

*Chap.*449 AN ACT RELATIVE TO THE TAXATION OF THE EXCESS OF GAINS OVER LOSSES ACCRUING FROM THE EXCHANGE OF SHARES IN CORPORATE REORGANIZATIONS.

Be it enacted, etc., as follows:

G. L. 62, § 5,
subsect. (c),
etc., amended.

SECTION 1. Section five of chapter sixty-two of the General Laws, as amended by section one of chapter three hun-

dred and seventy-six of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting at the end of subsection (c) the following: — If, in any exchange of shares upon the reorganization of one or more corporations or of one or more partnerships, associations or trusts, the beneficial interest in which is represented by transferable shares, the new shares received in exchange for the shares surrendered represent the same interest in the same assets, no gain or loss shall be deemed to accrue from the transaction until a sale or further exchange of such new shares is made, — so that subsection (c) will read as follows: — (c) The excess of the gains over the losses received by the taxpayer from purchases or sales of intangible personal property, whether or not said taxpayer is engaged in the business of dealing in such property, shall be taxed at the rate of three per cent per annum. Any trustee or other fiduciary may charge any taxes paid under this paragraph against principal in any accounting which he makes as such trustee. If, in any exchange of shares upon the reorganization of one or more corporations or of one or more partnerships, associations or trusts, the beneficial interest in which is represented by transferable shares, the new shares received in exchange for the shares surrendered represent the same interest in the same assets, no gain or loss shall be deemed to accrue from the transaction until a sale or further exchange of such new shares is made.

Tax on excess of gains, etc., from purchases, etc., of intangible personal property, etc.

In case of exchange of shares upon reorganization of corporations, etc.

SECTION 2. This act shall apply to every such exchange of shares effected after January first, nineteen hundred and twenty-two.

When to apply.

Approved May 20, 1922.

AN ACT AUTHORIZING THE TRUSTEES OF PINE BANKS PARK TO ESTABLISH MEMORIAL GROVES OR PARKS IN THE CITIES OF MALDEN AND MELROSE.

Chap. 450

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter three hundred and ninety-three of the acts of nineteen hundred and five is hereby amended by adding at the end thereof the following: — Said corporation may, if authorized by a unanimous vote of its board of trustees, set apart such portion of the land held by it and situated in the city of Malden as it may deem wise for the purpose of establishing and dedicating a grove or park as a perpetual memorial of the self sacrifice and patriotism of those citizens of Malden who died by reason of

1905, 393, § 2, amended.

Trustees of Pine Banks Park may establish memorial groves or parks in cities of Malden and Melrose.

service in the army, navy or marine corps of the United States during the world war. Said corporation may also, if authorized by a unanimous vote of its board of trustees, set apart in like manner such portion of the land held by it and located in the city of Melrose as it may deem wise and establish and dedicate a grove or park as a perpetual memorial of the self sacrifice and patriotism of those citizens of Melrose who died as a result of such service. A plan of any land set apart as aforesaid shall be made and kept on file in the office of the clerk of said board of trustees and in the office of the city engineer of each of said cities. No part of the money contributed by said cities under and by virtue of the provisions of section seven shall be used for the establishment, dedication or maintenance of any grove or park as aforesaid.

Certain money contributed by said cities not to be used, etc.

Said cities may appropriate money, etc.

SECTION 2. Each of said cities is hereby authorized to appropriate money for the dedication, construction and maintenance of any memorial established within its limits by said board of trustees as provided in section one.

Approved May 20, 1922.

Chap. 451 AN ACT RELATIVE TO THE TAXATION OF INSANE ASYLUMS AND LIKE INSTITUTIONS.

Be it enacted, etc., as follows:

G. L. 59, § 5, clause Third, subsect. (c), amended.

SECTION 1. Section five of chapter fifty-nine of the General Laws is hereby amended by inserting after the word "indirectly" in the thirty-fifth line the following: — , except that such a benevolent or charitable institution or corporation conducting an insane asylum, insane hospital or institution for the insane to which persons adjudged insane by due process of law may be committed shall be exempt from taxation on personal property and buildings so occupied or used, but shall be subject to taxation on the fair cash value of the land owned by it and used for the purposes of such asylum, hospital or institution, — so that subsection (c) of clause Third of said section will read as follows: — (c) Real or personal property of such an institution or corporation, occupied or used wholly or partly as or for an insane asylum, insane hospital, or institution for the insane or for the treatment of mental or nervous diseases, shall not be exempt unless at least one fourth of all property so occupied or used, wholly or partly, on the basis of valuation thereof, and one fourth of the income of all trust and other funds and property held for the benefit of such asylum, hospital or institution

Taxation of insane asylums and like institutions.

and not actually occupied or used by it for such purposes, is used and expended entirely for the treatment, board, lodging or other direct benefit of indigent insane persons, or indigent persons in need of treatment for mental diseases, as resident patients, without any charge therefor to such persons either directly or indirectly, except that such a benevolent or charitable institution or corporation conducting an insane asylum, insane hospital or institution for the insane to which persons adjudged insane by due process of law may be committed shall be exempt from taxation on personal property and buildings so occupied or used, but shall be subject to taxation on the fair cash value of the land owned by it and used for the purposes of such asylum, hospital or institution.

SECTION 2. This act shall take effect as of April first, nineteen hundred and twenty-two. Time of taking effect.

Approved May 20, 1922.

AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO COMPENSATE HARRY G. SCHNEIDER FOR CERTAIN INJURIES. Chap.452

Be it enacted, etc., as follows:

SECTION 1. The town of Greenfield may pay to Harry G. Schneider a sum not exceeding two hundred and twenty-two dollars, as compensation for injuries received by him while acting as fireman in the Greenfield fire department. Town of Greenfield may compensate Harry G. Schneider for certain injuries.

SECTION 2. This act shall take effect upon its acceptance by the said town in town meeting. *Approved May 20, 1922.* When to take effect.

AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO PENSION ADONIRAM J. HEMENWAY. Chap.453

Be it enacted, etc., as follows:

SECTION 1. The town of Framingham may pay Adoniram J. Hemenway, who is now eighty years old and has served said town twenty-seven years as assessor, an annual pension of six hundred dollars during his life, payable in equal quarterly payments, and for such purpose may annually grant or appropriate money. Town of Framingham may pension Adoniram J. Hemenway.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Framingham present and voting thereon at a meeting called for the purpose within one year after its passage, but for the purpose of being submitted to the voters as aforesaid shall take effect upon its passage. To be submitted to voters, etc.

Approved May 20, 1922.

*Chap.*454 AN ACT AUTHORIZING THE COUNTY OF SUFFOLK TO PENSION
MARY M. FITZSIMMONS.

Be it enacted, etc., as follows:

County of
Suffolk may
pension Mary
M. Fitz-
Simmons.

SECTION 1. Mary M. FitzSimmons, for over twenty-eight years a faithful clerical assistant in the office of the clerk of the superior court for civil business for the county of Suffolk, shall, at her request and with the approval of the chief justice of said court, be retired on a pension equal to one half the annual compensation received by her in said capacity at the time of her retirement, payable by said county in monthly instalments.

To be sub-
mitted to
Boston city
council, etc.
Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 20, 1922.

*Chap.*455 AN ACT REVIVING AND CONTINUING THE COMMISSION TO
ASCERTAIN THE MOST APPROPRIATE METHODS OF CARING
FOR THE GRAVES OF AMERICAN DEAD IN FOREIGN SOIL
AND AUTHORIZING THE ACQUISITION OF CERTAIN LAND IN
FRANCE FOR THE ERECTION THEREON OF A MEMORIAL.

Be it enacted, etc., as follows:

Commission to
ascertain the
most appro-
priate methods
of caring for
the graves of
American dead
in foreign soil,
revived and
continued.

SECTION 1. The commission to ascertain the most appropriate methods of caring for the graves of American dead in foreign soil, appointed under chapter six hundred and sixteen of the acts of nineteen hundred and twenty and revived and continued under chapter four hundred and forty-eight of the acts of nineteen hundred and twenty-one, is hereby revived and continued for the purpose of carrying out the provisions of this act.

Memorial to be
constructed at
St. Mihiel,
France.

SECTION 2. The commission, subject to the approval of the governor and council, is hereby authorized and directed to acquire, on behalf and in the name of the commonwealth, certain land located at St. Mihiel, France, and described in the report of said commission, being house document numbered fifteen hundred of nineteen hundred and twenty-two, for the purpose of constructing thereon a memorial. All documents of title to such property shall run to the commonwealth.

SECTION 3. For the purpose of this act there may be expended, with the approval of the governor and council, such sum, not exceeding twenty thousand dollars, as may be hereafter appropriated by the general court.

Expenditures authorized.

SECTION 4. The commission, in its discretion, may dispose of, at public or private sale, such of the property, real or personal, acquired by the commonwealth under section two as is not needed for such memorial, and the proceeds of any such sales shall be paid to the commonwealth.

Disposition of property acquired and not needed.

SECTION 5. The commission shall make a report of its proceedings hereunder to the general court not later than the second Wednesday in January, nineteen hundred and twenty-three.

Report to general court.

Approved May 20, 1922.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, BOSTON, June 28, 1922.

I, Channing H. Cox, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II. Emergency Measures", do declare that in my opinion the immediate preservation of the public peace, health, safety and convenience requires that the law passed on the twentieth day of May, in the year nineteen hundred and twenty-two, entitled "An Act Reviving and Continuing the Commission to ascertain the Most Appropriate Methods of Caring for the Graves of American Dead in Foreign Soil and Authorizing the Acquisition of Certain Land in France for the Erection thereon of a Memorial", should take effect forthwith, that it is an emergency law, and that the facts constituting the emergency are as follows: — that it is important to have the authority conferred by this Act upon the Special Commission appointed to identify the graves of American dead who gave their lives for their country in France and elsewhere during the World War with special reference to the acquisition of certain land for the erection of a memorial in the vicinity of the city of Saint Mihiel, France, made available for the preservation of the public peace and convenience.

Act declared an emergency law by the governor.

CHANNING H. COX.

THE COMMONWEALTH OF MASSACHUSETTS,
OFFICE OF THE SECRETARY, BOSTON, June 28, 1922.

I hereby certify that the above statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at three forty-four o'clock P.M. on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and fifty-five, acts of nineteen hundred and twenty-two.

State Secretary's certificate as to filing of the governor's declaration, etc.

FREDERIC W. COOK,
Secretary of the Commonwealth.

Chap.456 AN ACT AUTHORIZING THE BROCKTON SOCIETY OF THE NEW JERUSALEM CHURCH TO HOLD ADDITIONAL PROPERTY.

Emergency
preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

1887, 109, § 2,
amended.

The Brockton
Society of the
New Jerusalem
Church may
hold property,
etc.

Proviso.

Section two of chapter one hundred and nine of the acts of eighteen hundred and eighty-seven is hereby amended by striking out, in the fourth line, the words "seventy-five thousand" and inserting in place thereof the words: — two million, — so as to read as follows: — *Section 2.* Said society is hereby authorized to hold real and personal property to an amount which, with the amount it is already authorized to hold, shall not exceed two million dollars: *provided*, that no portion of said property leased for business purposes shall be exempt from taxation.

Approved May 22, 1922.

Chap.457 AN ACT TO AMEND THE LAWS GRANTING SUITABLE RECOGNITION FOR PERSONS WHO SERVED IN THE WORLD WAR.

Emergency
preamble.

Whereas, The deferred operation of this act would largely defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Payments in
recognition of
services of
certain persons
inducted or
enlisted into
service of
United States
during world
war.

Proviso.

Persons other-
wise qualified,
etc.

Every person inducted or enlisted in this commonwealth, who gave this commonwealth as his residence at the time of his induction or enlistment into the service of the United States during the world war and whose services were credited to this commonwealth, shall be deemed to have been a resident of the commonwealth for six months immediately prior to his entry into the service, as required by section two of chapter two hundred and eighty-three of the General Acts of nineteen hundred and nineteen; *provided*, that his father or mother was a resident of the commonwealth during the period of one year immediately prior to the entry of said person into said service and that he was not continuously absent from the commonwealth for a period of more than one year immediately prior to the time of such entry. If such person was otherwise qualified under the provisions of said chapter

two hundred and eighty-three or of chapter six hundred and nine of the acts of nineteen hundred and twenty, he shall be entitled to the benefits of said chapter two hundred and eighty-three; and further provided, that it appears to the satisfaction of the state treasurer that such person has not received or is not entitled to receive a bonus or gratuity for military service under the laws of some other state. Proviso.

Approved May 22, 1922.

AN ACT REGULATING THE DISPOSITION WITHOUT TRIAL OF Chap.458
CRIMINAL CASES.

Be it enacted, etc., as follows:

Chapter two hundred and seventy-seven of the General Laws is hereby amended by inserting after section seventy the two following new sections: — *Section 70A.* Except as otherwise provided by law, a nolle prosequi entered by a district attorney or assistant district attorney in a criminal case shall be accompanied by a written statement, signed by the district attorney or assistant district attorney making such entry, setting forth the reasons for such disposition. Said statement shall be filed with the pleadings. *Section 70B.* Except as otherwise provided by law, a criminal case shall not be placed on file, on motion of a district attorney or assistant district attorney, unless such motion is accompanied by a written statement of the reasons for such disposition, signed by the district attorney or assistant district attorney, which shall be filed with the pleadings, and also accompanied by a statement of any previous criminal record of the accused.

G. L. 277, new sections after § 70.

Entry of a nolle prosequi by a district attorney, etc., in a criminal case, regulated.

Placing on file of a criminal case, etc., regulated.

Approved May 22, 1922.

AN ACT PROVIDING THAT DISTRICT ATTORNEYS SHALL BE Chap.459
MEMBERS OF THE BAR.

Be it enacted, etc., as follows:

Chapter 459, Acts of 1922.

Referendum petition filed May 25, 1922.

See page 762.

first Wednesday of January after his election and until his successor is qualified.

Approved May 22, 1922.

Chap.456 AN ACT AUTHORIZING THE BROCKTON SOCIETY OF THE NEW JERUSALEM CHURCH TO HOLD ADDITIONAL PROPERTY.

Emergency
preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

1887, 109, § 2,
amended.

The Brockton
Society of the
New Jerusalem
Church may
hold property,
etc.
Proviso.

Section two of chapter one hundred and nine of the acts of eighteen hundred and eighty-seven is hereby amended by striking out, in the fourth line, the words "seventy-five thousand" and inserting in place thereof the words: — two million, — so as to read as follows: — *Section 2.* Said society is hereby authorized to hold real and personal property to an amount which, with the amount it is already authorized to hold, shall not exceed two million dollars: *provided*, that no portion of said property leased for business purposes shall be exempt from taxation.

Approved May 22, 1922.

Chap.457 AN ACT TO AMEND THE LAWS GRANTING SUITABLE RECOGNITION FOR PERSONS WHO SERVED IN THE WORLD WAR.

Emergency
preamble.

Whereas, The deferred operation of this act would largely defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Payments in
recognition of
services of
certain persons
inducted or
enlisted into
service of
United States

Every person inducted or enlisted in this commonwealth, who gave this commonwealth as his residence at the time of his induction or enlistment into the service of the United States during the world war and whose name

etc.

was otherwise qualified under the provisions of said chapter

two hundred and eighty-three or of chapter six hundred and nine of the acts of nineteen hundred and twenty, he shall be entitled to the benefits of said chapter two hundred and eighty-three; and further provided, that it appears to the satisfaction of the state treasurer that such person has not received or is not entitled to receive a bonus or gratuity for military service under the laws of some other state.

Proviso.

Approved May 22, 1922.

AN ACT REGULATING THE DISPOSITION WITHOUT TRIAL OF CRIMINAL CASES. Chap. 458

Be it enacted, etc., as follows:

Chapter two hundred and seventy-seven of the General Laws is hereby amended by inserting after section seventy the two following new sections: — *Section 70A.* Except as otherwise provided by law, a nolle prosequi entered by a district attorney or assistant district attorney in a criminal case shall be accompanied by a written statement, signed by the district attorney or assistant district attorney making such entry, setting forth the reasons for such disposition. Said statement shall be filed with the pleadings. *Section 70B.* Except as otherwise provided by law, a criminal case shall not be placed on file, on motion of a district attorney or assistant district attorney, unless such motion is accompanied by a written statement of the reasons for such disposition, signed by the district attorney or assistant district attorney, which shall be filed with the pleadings, and also accompanied by a statement of any previous criminal record of the accused.

G. L. 277, new sections after § 70.

Entry of a nolle prosequi by a district attorney, etc., in a criminal case, regulated.

Placing on file of a criminal case, etc., regulated.

Approved May 22, 1922.

AN ACT PROVIDING THAT DISTRICT ATTORNEYS SHALL BE MEMBERS OF THE BAR. Chap. 459

Be it enacted, etc., as follows:

Section twelve of chapter twelve of the General Laws is hereby amended by inserting after the word "therein" in the second line the words: — and a member of the bar of the commonwealth, — so as to read as follows: — *Section 12.* There shall be a district attorney for each district set forth in the following section, who shall be a resident therein and a member of the bar of the commonwealth and shall be elected as provided by section one hundred and fifty-four of chapter fifty-four. He shall serve for four years beginning with the first Wednesday of January after his election and until his successor is qualified.

G. L. 12, § 12, amended.

District attorneys to be members of the bar, etc.

Approved May 22, 1922.

Chap.460 AN ACT AUTHORIZING THE CITY OF LYNN TO REINSTATE CERTAIN PERSONS IN THE RESERVE FORCE OF ITS POLICE DEPARTMENT.

Be it enacted, etc., as follows:

City of Lynn may reinstate certain persons in reserve force of its police department.

SECTION 1. The mayor of the city of Lynn may reinstate Cornelius C. Owens, Frank P. Mackesey, Edward L. Cahill and John F. Smith, as members of the reserve police force of the said city, without further civil service examination.

May increase membership of reserve police force, etc.

SECTION 2. The city of Lynn is hereby authorized to increase the number of members of its reserve police force, beyond that fixed by the provisions of chapter one hundred and forty-seven of the General Laws, by adding Cornelius C. Owens, Frank P. Mackesey, Edward L. Cahill and John F. Smith as members thereof as provided in section one; but after such reinstatement, in the event of any vacancies in said reserve police force, such vacancies shall not be filled until the number of said force has been reduced to that fixed by the provisions of chapter one hundred and forty-seven of the General Laws.

To be submitted to city council, etc.
Proviso.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Lynn, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 22, 1922.

Chap.461 AN ACT RELATIVE TO THE APPOINTMENT OF TESTAMENTARY GUARDIANS FOR MINOR CHILDREN BY EITHER PARENT.

Be it enacted, etc., as follows:

G. L. 201, § 3, amended.

Testamentary guardians, appointment, etc.

Chapter two hundred and one of the General Laws is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* A father or mother may by will appoint, subject to the approval of the probate court, a guardian for a minor child whether born at the time of making the will or afterward, to continue during minority or for a less time. A testamentary guardian appointed by will of a parent shall have the same powers and perform the same duties relative to the property of the ward, and, if the other parent is not living, relative to the person of the ward, as a guardian appointed under section two. If application is made to the probate court for the appointment of a testamentary guardian after the appointment of a guardian, whether testamentary or otherwise, has been made by

such court, notice of such application shall be given to such guardian previously appointed, and thereafter the court may remove said guardian so first appointed and appoint in his place the person applying for an appointment as testamentary guardian or any suitable person, or it may appoint the person making such application to serve as guardian with the guardian already appointed by said court.

Approved May 22, 1922.

AN ACT AUTHORIZING THE CONSTRUCTION OF A PUBLIC TERMINAL ON THE CAPE COD CANAL. Chap. 462

Be it enacted, etc., as follows:

SECTION 1. The division of waterways and public lands of the department of public works, hereinafter called the division, is hereby authorized and directed to determine, after public hearings to be held in one or more places in each of the counties of Barnstable and Plymouth, and after such examination as it may deem necessary, the location along the line of the Cape Cod canal or elsewhere in the town of Bourne or Sandwich, where, in its opinion, it is advisable to build a public terminal which shall include a pier and approaches, and such equipment, appliances and rail connections as it deems necessary, and to do such other work as may be necessary and advisable to carry out the purposes of this act.

Division of waterways and public lands to determine location for a public terminal on Cape Cod canal, etc.

SECTION 2. When the location of the proposed terminal has been so determined, the division may purchase, or take by eminent domain under chapter seventy-nine of the General Laws, such lands and flats and rights and interests therein as may be necessary, and may build such terminal; provided, however, that no expense shall be incurred until contributions toward the cost of said terminal amounting to seventy-five thousand dollars have been made by the counties of Barnstable and Plymouth and paid into the state treasury. The proportions of this amount to be paid by said counties shall be determined by a joint board, consisting of the commissioner of public works, the associate commissioners of the division and the county commissioners of said counties, after a public hearing called for that purpose. The division may expend the total sum so contributed, together with a further sum, not exceeding seventy-five thousand dollars, out of the annual appropriation or appropriations for the improvement of rivers and harbors, when such sum and the total sum contributed as aforesaid are made available for the purposes of this act.

May purchase or take lands, etc.

Proviso.

Contributions toward cost by counties of Barnstable and Plymouth.

May expend money, etc.

Counties of
Barnstable and
Plymouth may
borrow money,
etc.

SECTION 3. For the purpose of meeting the payments required to be made under this act, the treasurer of each of the counties of Barnstable and Plymouth, with the approval of the county commissioners, may borrow on the credit of his county such sums as may be necessary, and may issue bonds or notes of the county therefor, payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish the loan within five years from its date, and the amount of such annual payment on any loan in any year shall not be less than the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan.

Approval of
contracts.

Division to
administer
terminal, make
rules and
regulations,
etc.

SECTION 4. All contracts made under this act shall be subject to the approval of the governor and council, and upon the completion of the work herein authorized the division shall administer the said terminal and shall make such rules and regulations and shall charge such reasonable rates for the use of said terminal and its equipment as shall be approved by the governor and council. The income from all wharfage, dockage and other sources shall be collected by the division and paid into the state treasury.

Approved May 22, 1922.

Chap.463 AN ACT PROVIDING A PREFERENCE TO DISABLED VETERANS IN CIVIL SERVICE APPOINTMENTS.

Be it enacted, etc., as follows:

G. L. 31, § 23,
amended.

Preference
to disabled
veterans in
civil service
appointments.

Chapter thirty-one of the General Laws is hereby amended by striking out section twenty-three and inserting in place thereof the following: — *Section 23.* The names of veterans who pass examinations for appointment to any position classified under the civil service shall be placed upon the eligible lists in the order of their respective standing above the names of all other applicants, except that any such veterans who are disabled and who present a certificate of any physician, approved by the board, that their disability is not such as to prevent the efficient performance of the duties of the position to which they are eligible and who shall present proof satisfactory to the commissioner that such disability was received in line of duty in the military or naval service of the United States in time of war or insurrection and is a continuing disability shall be placed ahead of all other veterans on such eligible lists in the order of their respective standing. In addition to the aforesaid certificate, in order to

be entitled to the preference provided for disabled veterans by this section, a veteran shall present an honorable discharge or an equivalent release from active duty in the military or naval service of the United States and shall present proof that he is at the time of application for appointment disabled and also proof, by means of the records of the adjutant general of the army of the United States or of the navy department or marine corps or by means of a certificate of the receipt at that time of a pension or compensation from the United States, that such disability was incurred in the line of duty in such service in time of war or insurrection, or in absence of proof as aforesaid shall present a certificate from a physician, approved by the board, that he is substantially handicapped for industrial life through injury or illness and shall present proof, satisfactory to the commissioner that such handicap was received in line of duty in the military or naval service of the United States in time of war or insurrection and is a continuing disability. Upon receipt of a requisition not especially calling for women, names shall be certified from such lists according to the method of certification prescribed by the civil service rules applying to civilians. A disabled veteran shall be appointed and employed in preference to all other persons, including veterans.

Approved May 22, 1922.

AN ACT RELATIVE TO DEPOSITS BY SURETIES ON BAIL BONDS AND BY DEFENDANTS ON PERSONAL RECOGNIZANCES. *Chap. 464*

Be it enacted, etc., as follows:

SECTION 1. Section fifty-seven of chapter two hundred and seventy-six of the General Laws is hereby amended by inserting after the word "company" in the fifteenth line the words:— or national bank, — so as to read as follows:—
Section 57. A justice of the supreme judicial or superior court, a clerk of courts or the clerk of the superior court for criminal business in the county of Suffolk, a standing or special commissioner appointed by either of said courts, a justice or clerk of a district court, a master in chancery or a trial justice, upon application of a prisoner or witness held under arrest or committed, either with or without a warrant, or held in the custody of an officer under a mittimus, may inquire into the case and admit such prisoner or witness to bail; and may admit to bail any person committed for not finding sureties to recognize for him. All persons authorized to take

G. L. 276, § 57,
amended.

Magistrates
who may admit
to bail.

Money and certain security may be deposited.

bail under this section shall be governed by the rules established by the supreme judicial or superior court. No person offering himself as surety shall be deemed to be insufficient if he deposits money of an amount equal to the amount of the bail required of him in such recognizance, or a bank book of a savings bank or of the savings department of a trust company or national bank, doing business in the commonwealth, properly assigned to the clerk or trial justice with whom the same is or is to be deposited, and his successors, and satisfactory to the person so authorized to take bail, or deposits non-registered bonds of the United States or of the commonwealth or of any county, city or town within the commonwealth equal at their face value to the amount of the bail required of him in such recognizance.

Provisions as to deposits by sureties on bail bonds and by defendants on personal recognizances to apply to bank books of savings departments of national banks.

SECTION 2. The provisions of said chapter two hundred and seventy-six relative to the deposit of bank books of savings banks and savings departments of trust companies by sureties on bail bonds and by defendants on personal recognizances, shall apply to bank books of savings departments of national banks so deposited. *Approved May 23, 1922.*

Chap. 465

AN ACT RELATIVE TO BAIL IN CRIMINAL CASES.

Be it enacted, etc., as follows:

G. L. 276, § 61, amended.

Bail in criminal cases. Certificate of sureties required.

SECTION 1. Chapter two hundred and seventy-six of the General Laws is hereby amended by striking out section sixty-one and inserting in place thereof the following:—*Section 61.* If bail is taken out of court, the person authorized to admit to bail in criminal cases shall cause a certificate to be signed and sworn to by each surety, which shall contain his name, his residence, including the name of the street and number, if any, of the dwelling house thereon, his occupation and place of business, a statement of the nature, location, purchase price, assessed value and fair market value of his property, and of the encumbrances, if any, thereon, the amount of his indebtedness, the amount and number of other bonds or recognizances on which he is or may be liable and all other matters pertinent to the amount and value of such property, each and all of which statements shall be deemed to be material statements in prosecutions for perjury, and shall return such certificate or certificates and a proper recognizance to the proper court. A surety may, instead of making such certificate, give his personal recognizance as surety and deposit money, bonds or a properly assigned bank book of

Surety may give personal recognizance as surety and deposit money, etc.

the kind and in the amount and under the conditions set forth in section fifty-seven for making deposit of like nature. A person authorized to take bail shall take such bail in the presence of the person to be bailed and the surety or sureties, except as otherwise provided in section one hundred and five of chapter one hundred and seventy-five.

SECTION 2. Said chapter two hundred and seventy-six is hereby further amended by inserting after section sixty-one the two following new sections:— *Section 61A.* Whenever a person becomes bail or surety in a criminal case and has offered real estate as his qualification for his acceptance as such bail or surety, and subsequently and while the case in which he has qualified as bail or surety is pending, desires to dispose of or encumber such real estate, he shall in writing notify the court in which the case is then pending of his desire, and shall, unless expressly authorized by the court to continue as such bail or surety, terminate his liability as such bail or surety before he disposes of or encumbers such real estate. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment in the house of correction for not more than one year, or both. Nothing in this section shall in any wise affect the title to such real estate. *Section 61B.* Any person proposing to become bail or surety in a criminal case for hire or reward, either received or to be received, shall be deemed to be a professional bondsman and shall not be accepted as bail or surety until he shall have been approved and registered as a professional bondsman by the court within the criminal jurisdiction of which he proposes to become bail or surety or by a justice thereof. Such approval and registration may be revoked or suspended at any time by such court or a justice thereof. All professional bondsmen approved and registered under this section shall be governed by rules which shall be established from time to time by the superior court. Any unregistered person receiving hire or reward for his services as bail or surety in any criminal case, and any registered person violating any provision of the rules established hereunder for professional bondsmen, shall be punished by a fine of not more than one thousand dollars or by imprisonment in the house of correction for not more than one year, or both. The provisions of this section shall not apply to surety companies.

SECTION 3. Said chapter two hundred and seventy-six of the General Laws is hereby further amended by striking

Bail to be taken in presence of person to be bailed and surety, except, etc.

G. L. 276, new sections after § 61.

Disposition of or encumbrance of real estate used in qualifying persons becoming bail or surety in a criminal case, regulated.

Penalty.

Title to real estate not affected.

Professional bondsmen, approval and registration.

Revocation or suspension. Superior court to establish rules, etc.

Penalties.

Not to apply to surety companies.

G. L. 276, § 63, amended.

Fees for taking
bail regulated.

out section sixty-three and inserting in place thereof the following: — *Section 63.* No justice of any court shall receive any fee or compensation for taking and approving bail in criminal cases, and no other person authorized to admit to bail in criminal cases shall receive from any source in connection with the admitting to bail anything of value in excess of the statutory fees therefor. No person shall act as attorney in any case in which he has admitted a prisoner or witness to bail.

Time of taking
effect.

SECTION 4. This act shall take effect upon September first, nineteen hundred and twenty-two.

Approved May 23, 1922.

Chap. 466

AN ACT PROVIDING FOR SPECIAL GRAND JURIES.

Be it enacted, etc., as follows:

G. L. 277, new
section after
§ 2.

Provision for
special grand
juries.

Chapter two hundred and seventy-seven of the General Laws is hereby amended by inserting after section two the following new section: — *Section 2A.* The clerk of the courts in any county, or in Suffolk the clerk of the superior court for criminal business, shall, upon written request of the attorney general accompanied by a certificate that public necessity requires such action, signed by the chief justice of the superior court, issue writs of venire facias for twenty-three grand jurors for service as a special grand jury to hear, consider and report on such matters as the attorney general may present. Said jurors shall serve for a period of six months, unless sooner discharged by the attorney general or by the said chief justice, and shall be drawn, summoned and returned in the same manner, and shall have the same powers and receive the same compensation, as grand jurors summoned for service under sections one and two, and the provisions of sections four to fourteen, so far as apt, shall apply to such jurors.

Approved May 23, 1922.

Term of
service,
powers, com-
pensation, etc.

THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPARTMENT, BOSTON, May 24, 1922.

Act declared
an emergency
law by the
governor.

I, Channing H. Cox, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II. Emergency Measures", do declare that in my opinion the immediate preservation of the public peace, health, safety and convenience requires that the law passed on the twenty-third day of May, in the year nineteen hundred and twenty-two, entitled "An Act Providing for Special Grand Juries", should take

effect forthwith, that it is an emergency law, and that the facts constituting the emergency are as follows:— that it is important to have the authority conferred by this Act made available for the preservation of the public peace and convenience.

CHANNING H. COX.

THE COMMONWEALTH OF MASSACHUSETTS,
OFFICE OF THE SECRETARY, BOSTON, May 24, 1922.

I hereby certify that the above statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at five fifty-one o'clock P.M. on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and sixty-six, acts of nineteen hundred and twenty-two.

State secretary's certificate as to filing of the governor's declaration, etc.

FREDERIC W. COOK,
Secretary of the Commonwealth.

AN ACT AUTHORIZING THE TRANSFER TO THE TRUSTEES OF SMITH COLLEGE OF CERTAIN LAND OF THE NORTHAMPTON STATE HOSPITAL AND THE ACQUISITION OF OTHER LAND FOR SAID HOSPITAL.

Chap. 467

Be it enacted, etc., as follows:

SECTION 1. The commissioner of mental diseases, in the name and on behalf of the commonwealth, is hereby authorized to negotiate with the trustees of Smith College for the sale to said trustees of a parcel of land, situated in the city of Northampton and belonging to the Northampton state hospital, and if in his opinion such sale would be consistent with the public interest, to sell and convey said parcel to said trustees at such price as he may finally determine, but not less than such price as may be approved by the governor and council and in no event less than fifty thousand dollars, and subject to such conditions and restrictions for the benefit of said hospital as may seem to him advisable. Said parcel is bounded and described as follows:— Beginning at the intersection of the center line of Mill river with the northerly line of West street, thence running southwesterly along the northwesterly side of said West street about one thousand and thirty-five feet; thence northerly eight degrees and fifty-five minutes east, along other land of the commonwealth one thousand eight hundred and ninety-five feet to the shore of Paradise pond; thence northeasterly, easterly and southerly by said shore line about one thousand five hundred and fifteen feet to a point thirty-three feet from the westerly end

Commissioner of mental diseases may sell and convey certain land in Northampton to trustees of Smith College.

Boundaries and description of land.

of the dam now belonging to said trustees of Smith College; thence northerly seventy-two degrees twenty-five minutes west, along land of the said trustees one hundred and thirty-two feet; thence southerly seventeen degrees thirty-five minutes west, along land of the said trustees sixty-six feet; thence southerly twelve degrees forty-five minutes east, along land of the said trustees two hundred and thirty-six feet; thence southerly nineteen degrees fifteen minutes west, along the land of the said trustees one hundred and five and six tenths feet; thence southerly eight degrees forty-five minutes west, along land of the said trustees two hundred and sixty-six and sixty-four hundredths feet; thence southerly seventy-nine degrees thirty minutes east, along land of the said trustees, sixty-eight feet to the center of Mill river; thence southerly along the center of Mill river about six hundred feet to the place of beginning, and containing thirty-three and fifty-five hundredths acres.

Department of mental diseases may take certain land in Northampton for Northampton state hospital.
Proviso.

SECTION 2. The department of mental diseases, in the name and on behalf of the commonwealth, may, with the approval of the governor and council, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase, land in fee in the city of Northampton for the Northampton state hospital; provided, that the cost of the land taken or acquired under this section shall not exceed the proceeds of the sale authorized by section one.

Approved May 24, 1922.

Chap. 468 AN ACT REQUIRING SAVINGS BANKS AND SAVINGS DEPARTMENTS OF TRUST COMPANIES TO MAKE LOANS TO DEPOSITORS.

Be it enacted, etc., as follows:

G. L. 168, § 51, etc., amended.

SECTION 1. Chapter one hundred and sixty-eight of the General Laws, as amended in section fifty-one by section one of chapter two hundred and ninety-two of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section fifty-one and inserting in place thereof the following: — *Section 51.* The principal deposits in such corporation may be withdrawn at such time and in such manner as the by-laws direct, but the treasurer of such corporation may at any time require a depositor to give a notice not exceeding ninety days of his intention to withdraw the whole or any part of his deposit or to apply for a loan under section fifty-one A. Deposits so withdrawn shall

Savings banks. Withdrawal of deposits, right to require notice of, or of application for loan, etc.

be deducted in each case from the amounts last deposited. Whenever such corporation requires said notice from ten or more depositors on any one day, it shall be deemed to have made a general requirement and it shall file within forty-eight hours thereafter a written notice setting forth the terms of the requirement with the commissioner. Until such general requirement has been removed and notice thereof filed with the commissioner, no payment by way of withdrawal or loan shall be made to any depositor on account of his deposit other than in accordance with the general requirement as set forth in the notice filed with the commissioner, except that with the approval of the commissioner, amounts not exceeding, in the aggregate, one hundred dollars may so be paid to each depositor.

Written notice, etc., to be filed with commissioner, etc.

Such corporation shall not advertise for deposits in newspapers, by posters or other written solicitation, while such general requirement is in effect, unless the advertisement shall contain, in type not smaller than the largest type thereof, a statement that such deposits may not be paid out by way of withdrawal or loan for the period set forth in the notice of said requirement.

Advertising for deposits regulated.

SECTION 2. Said chapter one hundred and sixty-eight is hereby further amended by inserting after section fifty-one the following new section: — *Section 51A*. Such a corporation shall, on application by a depositor, make a loan to him, secured by his deposit book, to an amount not exceeding ninety per cent of the amount of deposits shown therein, for a period not extending beyond the date when the next dividend of said corporation shall be payable. The said corporation may charge the depositor interest for the loan at a rate not exceeding one half of one per cent more than the next previous regular dividend declared and paid by such corporation.

G. L. 163, new section after § 51.

Savings banks. Loans to depositors.

Interest charge.

The corporation shall keep posted conspicuously in its banking rooms a notice containing the substance of this section and section fifty-one in such form as the commissioner may prescribe.

Notice as to law to be posted, etc.

SECTION 3. Chapter one hundred and seventy-two of the General Laws, as amended in section sixty-six by section two of chapter two hundred and ninety-two of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section sixty-six and inserting in place thereof the following: — *Section 66*. Such corporation may at any time require a depositor in said savings department to

G. L. 172, § 66, etc., amended.

Trust companies, savings departments.

give a notice not exceeding ninety days of his intention to withdraw the whole or any part of his deposit or to apply for a loan under section sixty-six A.

Withdrawal of deposits, right to require notice of, or of application for loan, etc.

Whenever such corporation requires said notice from ten or more depositors on any one day, it shall be deemed to have made a general requirement and it shall file within forty-eight hours thereafter a written notice setting forth the terms of the requirement with the commissioner. Until such general requirement has been removed and notice thereof filed with the commissioner, no payment by way of withdrawal or loan shall be made to any depositor in said savings department on account of his deposit other than in accordance with the general requirement as set forth in the notice filed with the commissioner, except that with the approval of the commissioner, amounts not exceeding, in the aggregate, one hundred dollars may so be paid to each depositor.

Advertising for deposits regulated.

Such corporation shall not advertise for deposits in newspapers, by posters or other written solicitation, while such general requirement is in effect, unless the advertisement shall contain, in type not smaller than the largest type thereof, a statement that such deposits may not be paid out by way of withdrawal or loan for the period set forth in the notice of said requirement.

G. L. 172, new section after § 66.

Trust companies. Loans to depositors in savings department.

SECTION 4. Said chapter one hundred and seventy-two is hereby further amended by inserting after section sixty-six the following new section: — *Section 66A.* Such a corporation shall, on application of a depositor in said savings department, make a loan to him, secured by his deposit book, to an amount not exceeding ninety per cent of the amount of deposits shown therein, for a period not extending beyond the date when the next dividend of the savings department of said corporation shall be payable. The said corporation may charge the depositor interest for the loan at a rate not exceeding one half of one per cent more than the next previous regular dividend declared and paid by the savings department of such corporation.

Interest charge.

Notice as to law to be posted, etc.

The corporation shall keep posted conspicuously in the banking rooms of its savings department a notice containing the substance of this section and of section sixty-six in such form as the commissioner may prescribe.

Approved May 24, 1922.

AN ACT AUTHORIZING THE CITY OF PEABODY TO INCUR IN-DEBTEDNESS FOR SCHOOL PURPOSES. Chap.469

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for school buildings and for constructing and originally equipping and furnishing the same, the city of Peabody may, from time to time, borrow such sums as may be necessary, not exceeding in the aggregate sixty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Peabody School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

City of Peabody may borrow money for school purposes.

Peabody School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1922.

AN ACT AUTHORIZING THE COUNTY OF ESSEX TO CONSTRUCT A HIGHWAY IN THE TOWN OF NEWBURY. Chap.470

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex are hereby authorized to construct a roadway not less than eighteen feet in width with proper shoulders, on the Plum Island turnpike, so-called, in the town of Newbury, from the Newburyport line to the terminus of the highway on Plum Island, said roadway to be of bituminous macadam except upon the bridges now built or to be built, and as a part of said roadway they may, subject to all general laws applicable thereto and to the approval of the appropriate federal authority, reconstruct the bridge over Plum Bush creek.

Essex county may construct a highway in town of Newbury.

SECTION 2. The cost and expenses incurred under this act shall not exceed the sum of thirty-three thousand dollars and shall be paid in the first instance by the county of Essex. The treasurer of said county, with the approval of the county commissioners, may borrow by a temporary loan or loans on the credit of the county such sums, not exceeding the said amount, as may from time to time be required to meet the cost and expenses aforesaid, and may renew the same for such periods as may be necessary. All amounts so borrowed shall be deposited in the treasury of the county, and the treas-

Limit and payment of cost.

County treasurer may borrow money, etc.

Statement of
cost to be
filed, etc.

Assessment
upon town of
Newbury,
payment, etc.

Part payment
of cost by Essex
county.

County of
Essex, Plum
Island Turn-
pike Loan,
Act of 1922.

Part payment
of cost by town
of Newbury.

Town of
Newbury,
Plum Island
Turnpike Loan,
Act of 1922.

urer shall pay out the same as ordered by the county commissioners and shall keep a separate and accurate account of all moneys borrowed and expended under the provisions of this act, including interest. Upon the completion of the roadway the county commissioners shall file in the office of the clerk of the courts for the county a detailed statement, certified under their hands, of the actual cost of its construction, and they shall give notice to the town of Newbury and shall assess upon said town fifty per cent of the total cost thereof. Any sum assessed upon said town shall be paid into the treasury of the county within sixty days after notice by the county commissioners that the foregoing provisions have been complied with; and if the town refuses or neglects to pay the amount assessed, the commissioners shall, after due notice, issue a warrant against the town for its proportion with interest and the cost of the notice and warrant, and the same shall be collected and paid into the treasury of the county, to be applied to the payment of loans issued by the county under authority of this section.

SECTION 3. For the purpose of paying the fifty per cent of the said total cost which is to be borne by the county of Essex, the county treasurer with the approval of the county commissioners, may borrow from time to time such sums as may be necessary, not exceeding in the aggregate sixteen thousand five hundred dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Essex, Plum Island Turnpike Loan, Act of 1922, and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within five years from its date and the amount of such annual payments in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The town of Newbury for the purpose of paying its part of the cost of said roadway may borrow from time to time such sums as may be necessary, not exceeding in the aggregate sixteen thousand five hundred dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Newbury, Plum Island Turnpike Loan, Act of 1922. Each authorized issue shall constitute a separate loan and shall be payable within five years from its date. Indebtedness incurred by said town under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the Gen-

eral Laws. The said county and town may sell the said securities at public or private sale upon such terms and conditions as they may severally deem proper, but not for less than their par value and the proceeds of the loans issued by the county shall be used only to pay temporary loans issued in accordance with the provisions of section two or for the construction of said roadway, and the proceeds of the loans issued by said town shall be paid into the county treasury to be applied to the payment of loans issued by the county in accordance with the provisions of section two.

SECTION 4. Chapter four hundred and four of the acts of nineteen hundred and five is hereby repealed, but such repeal shall not affect the validity of the layout of the highway made under authority of said chapter. Said highway shall hereafter have the status of a highway laid out under the provisions of chapter eighty-two of the General Laws and shall be maintained as such.

1905, 404, repealed, etc.

SECTION 5. This act shall take effect upon its acceptance by the county commissioners of Essex county and the selectmen of the town of Newbury; provided, that such acceptances occur prior to December thirty-first in the current year.

To be submitted to Essex county commissioners and selectmen of Newbury. Proviso.

Approved May 25, 1922.

AN ACT AUTHORIZING THE CITY OF WORCESTER TO RECEIVE AND HOLD LAND AND STRUCTURES TO BE USED AS AN ATHLETIC FIELD FOR PUBLIC SCHOOL ATHLETICS AND OTHER PURPOSES AND TO BE MANAGED BY THE SCHOOL COMMITTEE.

Chap. 471

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester may, by vote of the school committee and with the approval of the mayor, receive by deed of gift and hold in fee land, buildings and other structures in said city to be used as an athletic field for public school and other athletics and public events for which admission may be charged.

City of Worcester may receive and hold land, etc., to be used as an athletic field.

SECTION 2. The school committee may erect buildings and other structures on said land, shall have the entire care, management and control of said land and all buildings and other structures thereon, may make rules for the use of said land, buildings and other structures, may charge for admission to said land, and may lease or let said land, buildings and structures, or any part thereof, for any of the purposes stated in section one, upon such terms and conditions as said committee may determine.

Powers of school committee as to said land, etc.

Revenue, how
to be expended.

SECTION 3. The revenue received by the school committee from leasing or letting said land, buildings and other structures shall be expended by said committee for the following uses and purposes, namely: First: For the care of said land and the care and repair of the buildings and other structures thereon. Second: For the equipment and improvement of the grounds and the construction, alteration and enlargement of buildings and other structures thereon. Third: For the support and encouragement of school athletics. The revenue received by said committee from admission to said field may be expended by said committee for the support and encouragement of public school athletics and other public school events conducted on said field, and for such other purposes named in this section as the school committee shall approve.

Payment into
city treasury.

SECTION 4. All revenue received by the school committee from said land, buildings and other structures shall be paid into the city treasury and shall be paid out by the city treasurer for the purposes aforesaid only upon orders approved by the school committee and the city auditor. Any such order and any contract which involves the expenditure of more than three hundred dollars shall, in order to be valid, require the written approval of the mayor.

Approval of
orders, con-
tracts, etc.

City council
may appro-
priate money,
etc.

SECTION 5. The city council may appropriate such amounts as the mayor may recommend or approve to be expended by the school committee for the care and repair of said land, buildings and structures, for the equipment and improvement of the grounds, the construction and enlargement of buildings and other structures thereon and the support and encouragement of school athletics.

School
committee to
file annual
statement of
revenue and
expenditures.

SECTION 6. The school committee shall annually, on or before the fifteenth day of December, file with the city clerk an itemized and detailed statement of all revenue received from and all expenditures made for said athletic field and the buildings and other structures thereon for the year ending November thirtieth preceding.

SECTION 7. This act shall take effect upon its passage.

Approved May 27, 1922.

Chap. 472 AN ACT AUTHORIZING THE CITY OF MEDFORD TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of
Medford may
borrow money
for school
purposes.

SECTION 1. The city of Medford, for the purpose of acquiring land for school purposes, and constructing and originally equipping and furnishing school buildings, may borrow

from time to time such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Medford School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Medford
School Loan,
Act of 1922.

SECTION 2. So much of chapter forty-five of the Special Acts of nineteen hundred and nineteen as relates to the borrowing of money for high school purposes, and chapter two hundred and forty-seven of the acts of nineteen hundred and twenty-two, are hereby repealed.

Repeals.

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1922.

AN ACT AUTHORIZING THE TOWN OF WEST SPRINGFIELD TO
BORROW MONEY FOR SCHOOL PURPOSES.

Chap.473

Be it enacted, etc., as follows:

SECTION 1. For the purpose of purchasing or otherwise acquiring land, and constructing thereon a junior high school and providing for the original equipment and furnishing of said school, the town of West Springfield may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue notes or bonds therefor, which shall bear on their face the words, West Springfield School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of West
Springfield
may borrow
money for
school
purposes.

West Spring-
field School
Loan, Act of
1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1922.

AN ACT AUTHORIZING THE CITY OF FALL RIVER TO INCUR
ADDITIONAL INDEBTEDNESS FOR WATER SUPPLY PUR-
POSES.

Chap.474

Be it enacted, etc., as follows:

SECTION 1. For the purpose of paying the necessary expenses and liabilities incurred under chapter three hundred and two of the Special Acts of nineteen hundred and sixteen, the city of Fall River may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate,

City of Fall
River may
borrow money
for water
supply
purposes.

City of Fall
River Water
Loan, Act of
1922.

seven hundred and fifty thousand dollars, in addition to the amount authorized by said chapter, and may issue bonds or notes therefor, which shall bear on their face the words, City of Fall River Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable within thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws. The provisions of section eight of said chapter three hundred and two shall apply to the payment of all loans made under authority hereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1922.

Chap. 475 AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO MAKE AN
ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

City of
Cambridge
may make an
additional
water loan.

SECTION 1. For the purpose of constructing a filtration plant for the protection and purifying of its water supply, the city of Cambridge may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred and seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Cambridge Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Cambridge
Water Loan,
Act of 1922.

Payment of
loan.

SECTION 2. Said city shall, at the time of authorizing said loan or loans provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum, which with the income derived from water rates will be sufficient to pay the annual expense of operating its water works and interest as it accrues on bonds or notes issued as aforesaid and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed by the assessors of said city annually thereafter in the same manner as other taxes until the debt incurred hereunder is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1922.

AN ACT AUTHORIZING THE TRUSTEES OF THE BURLEY EDUCATION FUND IN IPSWICH TO EXPEND A PART OF SAID FUND FOR ENLARGING THE BURLEY SCHOOL. *Chap.476*

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Burley Education Fund in Ipswich, a corporation established by chapter twelve of the acts of eighteen hundred and twenty-five, is hereby authorized to expend a part of said fund, not exceeding one half, for the purpose of enlarging the building in the town of Ipswich known as the Burley school in the construction of which a part of said fund was expended under authority of chapter five hundred and seven of the acts of nineteen hundred and six.

Trustees of the Burley Education Fund in Ipswich may expend part of said fund for enlarging Burley school.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1922.

AN ACT AUTHORIZING THE TOWN OF CHESHIRE TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES. *Chap.477*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and the construction of a school building, and for the purchase of original equipment and furnishings for said building, the town of Cheshire may borrow such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Cheshire School Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than fifteen years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Cheshire may borrow money for school purposes.

Cheshire School Loan, Act of 1922.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1922.

AN ACT VALIDATING CERTAIN ACTS OF THE TOWN OF ROCKLAND AND OF ITS PARK COMMISSIONERS. *Chap.478*

Be it enacted, etc., as follows:

All acts and proceedings of the town of Rockland between September sixth, nineteen hundred and seven and April eighth, nineteen hundred and twenty-two, both dates inclusive, relating to parks and to the election of park commis-

Certain acts of town of Rockland and of its park commissioners validated.

sioners, and all the acts of the park commissioners of said town between said dates, in so far as said acts and proceedings were invalid by reason of the failure of said town to accept sections one to nine, inclusive, of chapter forty-five of the General Laws, or the corresponding provisions of earlier laws, are hereby confirmed and made valid.

Approved May 27, 1922.

Chap.479 AN ACT RELATIVE TO THE SETTLEMENT OF PAUPERS.

Be it enacted, etc., as follows:

G. L. 116, § 5,
amended.

Settlement of
paupers, con-
tinuance, loss,
etc.

Time in
institutions
not counted,
etc.

Chapter one hundred and sixteen of the General Laws is hereby amended by striking out section five and inserting in place thereof the following:— *Section 5.* Each settlement existing on August twelfth, nineteen hundred and eleven, shall continue in force until changed or defeated under this chapter, but from and after said date failure for five consecutive years by a person, after reaching the age of twenty-one, to reside in a town where he had a settlement shall defeat such settlement. The time during which a person shall be an inmate of any almshouse, jail, prison, or other public or state institution, within the commonwealth or in any manner under its care and direction, or that of an officer thereof, or of a soldiers' or sailors' home whether within or without the commonwealth, shall not be counted in computing the time either for acquiring or for losing a settlement, except as provided in section two. The settlement, existing on August twelfth, nineteen hundred and sixteen, of a soldier and his dependent eligible to receive military aid and soldiers' relief under existing laws shall be and continue in force while said soldier or dependent actually resides in the commonwealth and until a new settlement is gained in another town in the manner heretofore prescribed.

Approved May 27, 1922.

Chap.480 AN ACT CHANGING THE NAME OF THE MONTAGUE LIGHTING DISTRICT IN THE TOWN OF MONTAGUE AND AUTHORIZING IT TO SUPPLY WATER TO SAID DISTRICT FOR DOMESTIC AND OTHER PURPOSES.

Be it enacted, etc., as follows:

Montague
Lighting
District may
supply water
to said district.

SECTION 1. The Montague Lighting District, established in the town of Montague under chapter six hundred and thirty-eight of the acts of nineteen hundred and fourteen, in addition to the powers conferred upon it by said chapter, is

hereby vested with authority to supply the inhabitants of said district with water for domestic purposes and the extinguishment of fires, and shall become and be known hereafter as the Montague Lighting and Fire District. Said lighting and fire district shall be subject to the provisions of said chapter six hundred and thirty-eight and to all general laws applicable to fire districts that may now or hereafter be in force relating to such districts except as otherwise provided herein.

Name changed to Montague Lighting and Fire District.

SECTION 2. Said district, for the purpose of supplying itself and its inhabitants with water, may, through its prudential committee, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the waters of Sawmill river, so-called, within the limits of said town of Montague, and the brook running from Dry Hill, so-called, in said Montague, said brook being known as the Dry Hill brook, and may enter into an agreement and make all reasonable contracts with Edgar L. Bartlett of said Montague for a supply of water for said district, to be furnished and supplied from the water system now owned by said Edgar L. Bartlett and located within said district, and may also so take, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, holding, purifying and preserving the purity of the water, and for conveying the same to any part of said district; provided, that no source of water supply and no lands necessary for preserving the quality of the water shall be taken or used without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of the said department. Said district may construct on the lands acquired and held under this act proper dams, reservoirs, stand-pipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along such ways in the town of Montague in such manner as not unnecessarily to obstruct

May take certain waters, etc.

May contract with Edgar L. Bartlett for water supply, etc.

May take lands, rights of way, etc.

Proviso.

May construct dams, reservoirs, etc.

the same. For the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; and all things done upon any such way shall be subject to the direction of the selectmen of the town of Montague. Said district shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities.

Requirements
to enter upon
railroad
location.

May borrow
money.

Montague
Lighting and
Fire District
Loan, Act of
1922.

SECTION 3. For the purpose of paying the necessary expenses and liabilities incurred under this act, the said district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, forty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Montague Lighting and Fire District Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Payment of
loan.

SECTION 4. The said district shall, at the time of authorizing the said loan or loans provide for the payment thereof in accordance with section three; and when a vote to that effect has been passed, a sum, which, with the income derived from water rates, will be sufficient to pay the annual expense of operating the water works and interest as it accrues on bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed upon the said district by the assessors of the town annually thereafter until the debt incurred by said loan or loans is extinguished.

Management,
improvement,
etc., of land
taken, etc.

SECTION 5. Any land taken or acquired under this act shall be managed, improved and controlled by the prudential committee, in such manner as they shall deem for the best interest of the district.

Recovery of
damages.

SECTION 6. Any person injured in his property by any action of said prudential committee under this act may recover damages from said district under chapter seventy-nine of the General Laws; provided, that the right to damages for the taking of any water or water right, or any injury thereto,

Proviso.

shall not vest until the water is actually withdrawn or diverted by said district under authority of this act.

SECTION 7. When a tax is duly voted by said district for the purposes of this act, the clerk of the district shall send a certified copy of the vote to the assessors of the town, and the same shall be assessed, collected and paid over in the manner provided by section seven of said chapter six hundred and thirty-eight.

Assessment
and collection
of taxes.

SECTION 8. A meeting of the voters of the Montague Lighting District, for the purpose of taking action hereunder, shall be called by the prudential committee of the district upon application, in writing, of not less than seven of the voters of said district, and if the committee unreasonably refuses or neglects to call such meeting, any justice of the peace may call the same, and these provisions shall apply to any subsequent meetings that may be required for the purpose of considering the acceptance of this act. At all such meetings, the clerk of the district or the justice of the peace who calls the meeting shall preside until a moderator shall be chosen, who shall have the powers of a moderator at a town meeting. If the voters of the district decide at any such meeting to accept this act, the meeting may then proceed to act on the other articles contained in the warrant. The officers of the Montague Lighting and Fire District shall be those provided by said chapter six hundred and thirty-eight; and all authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in the prudential committee, who shall be subject, however, to such instructions, rules and regulations as the district, by its vote, may impose.

Meeting of
voters of
Montague
Lighting
District to be
called, etc.

Acceptance of
act.

Officers of
Montague
Lighting and
Fire District.

SECTION 9. The prudential committee shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be used to defray all operating expenses, interest charges and payments on principal as they become due upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it shall be used for such new construction as said committee may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by said committee except from the net surplus aforesaid, unless the district appropriates and provides money therefor. All au-

Prudential
committee to
fix water
rates, etc.

Net surplus,
how used.

Annual report

thority vested in said committee by the foregoing provisions of this section shall be subject to the provisions of section eight. Said committee shall annually, and as often as the district may require, render to the district a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

Penalty for
polluting
water, etc.

SECTION 10. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, stand-pipe, aqueduct, pipe or other property, owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

To be sub-
mitted to
voters of
Montague
Lighting
District.

SECTION 11. This act shall take effect upon its acceptance by a majority of the voters of the Montague Lighting District present and voting thereon at a meeting called for the purpose within three years from the passage of this act. For the purpose of submission to the voters of the district, this act shall take effect upon its passage. *Approved May 27, 1922.*

Chap.481 AN ACT RELATIVE TO TRAVELING AND OTHER EXPENSES OF THE STATE EXAMINERS OF PLUMBERS.

Be it enacted, etc., as follows:

G. L. 17, § 10,
amended.State
examiners of
plumbers, ap-
pointment,
qualifications,
duties,
salaries, etc.

Section ten of chapter seventeen of the General Laws is hereby amended by striking out, in the fifteenth line, the words "five hundred" and inserting in place thereof the words:—seven hundred and fifty,—so as to read as follows:—*Section 10.* There shall be a board to be known as the state examiners of plumbers serving in the department and consisting of three examiners, one of whom shall annually be appointed by the department for three years. Appointments to fill vacancies shall be for unexpired terms. The first examiner shall be a practical plumber of at least five years' continuous practical experience, the second shall be a sanitary expert, and the third shall have such qualifications as may be required by the department. The first examiner shall act as clerk of the board and receive a salary of two thousand dollars or such other sum as may be fixed by the department, subject to the approval of the governor and

council. Each of the other examiners shall receive not exceeding five dollars for every day of actual service, but not more than three hundred and fifty dollars a year. The compensation of the examiners, the traveling and other necessary expenses of the clerk, and, to an amount not exceeding in the aggregate seven hundred and fifty dollars annually, the traveling and other necessary expenses of the two other examiners, shall, when approved by the commissioner and by the governor and council, be paid by the commonwealth. The examiners shall make an annual report to the commissioner, who shall incorporate the same in the annual report of the department.

Traveling and other expenses.

Annual report.

Approved May 27, 1922.

AN ACT REVIVING THE BERKSHIRE ANIMAL RESCUE LEAGUE. *Chap. 482*
Be it enacted, etc., as follows:

The Berkshire Animal Rescue League, a corporation organized by law and dissolved by chapter one hundred and fifty-seven of the Special Acts of nineteen hundred and seventeen, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed.

Berkshire Animal Rescue League revived.

Approved May 27, 1922.

AN ACT TO PROVIDE ADDITIONAL PLATFORM SPACE IN THE HARVARD SQUARE STATION OF THE CAMBRIDGE SUBWAY. *Chap. 483*

Whereas, There is a serious congestion and overcrowding of passengers at certain hours of the day on certain platforms in the Harvard Square station of the Cambridge subway, therefor this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. The commission of the department of public utilities may make such alterations in or extensions to the Harvard Square station of the Cambridge subway as the said commission may deem necessary or desirable for the convenience and safety of passengers using said station, and to that end shall have the same powers as were conferred upon the Boston transit commission by chapter seven hundred and forty-one of the acts of nineteen hundred and eleven; provided, that wherever by said chapter said transit commission is authorized to act in the name or in behalf of the city of

Commission of department of public utilities may alter, etc., Harvard Square station of Cambridge subway.

Proviso.

Boston, the said commission of the department of public utilities shall have like power and authority to act in the name and on behalf of the commonwealth.

Contract by
Boston Ele-
vated Railway
Company for
use of altera-
tions, etc.,
annual rental,
etc.

SECTION 2. No work of construction shall be done or contract therefor let, unless and until the Boston Elevated Railway Company shall execute a contract for the use of such alterations or extensions for a term ending with that of the contract for the use of the Cambridge subway. The company shall pay to the commonwealth an annual rental equal to the total interest obligations of the commonwealth in respect of the bonds issued to carry out the purposes of this act for the year on account of which said rental is paid, increased by one half of one per cent of the principal sums on which said interest payments are made and by four and one half per cent of the principal sums of all bonds issued as aforesaid which shall have been paid and retired, or purchased by the commonwealth, out of sums received as rental, which increase shall be applied to retiring subsequently maturing bonds as they fall due. Any alteration or extension made under this act shall be deemed a part of the Cambridge subway. The provisions of section eight of chapter three hundred and sixty-nine of the General Acts of nineteen hundred and nineteen shall apply to the work authorized by this act.

Alterations,
etc., to be
deemed part of
subway.
Certain laws to
apply.

Commission
may make
contracts, etc.

SECTION 3. The commission may make contracts in the name of the commonwealth for the work herein authorized but all contracts involving two thousand dollars or more in amount shall be advertised in a reasonable number of newspapers for proposals for the performance of such work, shall be awarded to the lowest responsible and eligible bidder and shall be entered into by a written contract signed by a majority of the commission, and no such contract shall be altered except by an instrument in writing signed by the contractor and a majority of the commission and also by the sureties, if any, on the bond given by the contractor for the completion of the original contract. The Boston Elevated Railway Company is authorized to bid upon and make and carry out any such contract for construction.

Boston
Elevated
Railway Com-
pany may bid,
etc.

State treasurer
to issue bonds,
etc.

SECTION 4. The state treasurer shall upon request of the commission issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount, to be specified from time to time by the commission, sufficient to provide means for the payment for the work and construction herein authorized and the necessary expenses incurred by the com-

mission in connection therewith but not in excess of one hundred and fifty thousand dollars. All such bonds shall be designated on their face, Cambridge Subway Improvement Loan, and shall be on the serial payment plan for such maximum term of years as the governor may recommend to the general court in accordance with section three of article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amount payable each year, other than the final year, shall, as nearly as is in the opinion of the state treasurer practicable, be met by the amount applicable thereto under a rental payment as provided for in the contract to be executed under the requirements of this act, and shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor and council, shall fix. All rents, tolls or other compensation received by the commonwealth for the use of the property constructed under the authority hereof shall be applied to the payment of principal and interest upon said bonds. Any premium received upon the sale of said bonds shall be used in the retirement or purchase thereof.

Cambridge
Subway Im-
provement
Loan.

Interest.

Rents, tolls,
etc., how to be
applied, etc.

Approved May 29, 1922.

AN ACT RELATIVE TO THE DUTIES OF THE RESERVOIR COM-
MISSION OF FALL RIVER.

Chap. 484

Be it enacted, etc., as follows:

SECTION 1. The powers and duties heretofore conferred and devolved upon the commission established under section one of chapter three hundred and eleven of the Special Acts of nineteen hundred and sixteen shall hereafter be exercised and carried out by the Reservoir Commission of the City of Fall River. Said reservoir commission shall proceed with the construction of the dam at the Sand Bar on the South Watuppa pond in Fall River in accordance with the plans presented to and accepted by the city council of Fall River under said chapter. The level to which the waters of said pond may be lowered shall not be more than ten feet below the high water level of said pond, as fixed by an iron bolt set in the easterly side of a pudding stone rock at Phillips Swamp.

Reservoir
Commission of
the City of
Fall River to
exercise and
carry out
certain powers
and duties.

SECTION 2. Chapter three hundred and eleven of the Special Acts of nineteen hundred and sixteen, as affected by section forty-five of chapter seventy-nine of the General Laws, is hereby amended by striking out section five, as affected as aforesaid, and inserting in place thereof the following: —

1916, 311 (S),
§ 5, etc.,
amended.

Reservoir
commission
may take
certain
property, etc.

Section 5. When said plans are finally approved, as aforesaid, the reservoir commission of the city of Fall River is hereby authorized and directed to take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, on behalf of the city of Fall River, such property, easements or rights of way, in, along or by the Quequechan river from a point near South Watuppa pond to a point near the dam of the Watuppa Reservoir Company, or to such other point as may be necessary to carry out said plans. If it is deemed necessary to construct an out-fall sewer, so-called, wholly or partly through private land to Mount Hope bay to carry out the purposes of this act, such commission is hereby further authorized and directed to purchase or take by eminent domain as aforesaid such property, easements or rights of way as may be necessary for the construction thereof. The provisions of chapters seventy-nine and eighty of the General Laws shall be applicable to proceedings under this act, except as other provision is herein expressly made.

1916, 311 (S),
§ 9, etc.,
amended.

SECTION 3. Said chapter three hundred and eleven, as affected by section forty-five of chapter seventy-nine of the General Laws, is hereby further amended by striking out section nine, as affected as aforesaid, and inserting in place thereof the following: — *Section 9.* Before any taking is made under section five, the mayor of Fall River shall appoint, subject to confirmation by the city council, three assessment commissioners, of whom two shall be residents and one not a resident of the city. None of the commissioners shall be a riparian owner on the Quequechan river, or on South Watuppa pond, or entitled to the use of the waters of said river or said pond, a member of the Watuppa Reservoir Company, or an officer or employee of the city. Their compensation shall be fixed by the mayor and the city council. Their authority shall cease upon the completion of their duties.

Assessment
commissioners,
appointment,
etc

Assessment
of expense
incurred in
improving
Quequechan
river.

The expense incurred in the improvement of Quequechan river, not in excess of the special benefit arising therefrom, for which the city of Fall River is authorized by section eight to issue bonds and notes, shall be assessed by the assessment commissioners under chapter eighty of the General Laws upon the real estate in, along and by said river. Payments made on said assessments shall be applied to the payments of the bonds or notes of the earliest maturity, and the amount to be assessed in the general tax levy each year as provided

Payments,
how to be
applied.

in section eight shall be reduced by the amount of these payments.

SECTION 4. Said chapter three hundred and eleven, as affected by section forty-five of chapter seventy-nine of the General Laws and as amended in section twelve by chapter five hundred and forty-four of the acts of nineteen hundred and twenty, is hereby further amended by striking out said section twelve and inserting in place thereof the following: —

1916, 311 (S),
§ 12, etc.,
amended.

Section 12. If at the time of the taking of land or water rights or the establishment of a public improvement under this act causing damage or benefit to private property the parties interested have not agreed upon the damages and benefits, the award of damages and the assessment of betterments from the taking or from the establishment and construction of the improvement as aforesaid shall be made by the assessment commissioners. The city of Fall River shall be entitled to damages and liable for betterments in the same manner as a private corporation. Damages shall be payable from the proceeds of the bonds, so far as available. The betterments shall be payable at such times as the assessment commissioners may determine.

Award of
damages and
assessment of
betterments
by assessment
commissioners.

The city council of Fall River may authorize the Watuppa Reservoir Company to have charge of, maintain and operate for the purpose of carrying out the provisions of this act any works or structures affecting the flow of the Quequechan river. The agreement between the city council and the Watuppa Reservoir Company, dated April twenty-second, nineteen hundred and twenty, in so far as it relates to the construction, maintenance and operation of a proposed dam and pumping station at the Sand Bar, so-called, on or near the South Watuppa pond is hereby ratified.

Fall River city
council may
authorize
Watuppa
Reservoir
Company to
maintain, etc.,
works affecting
flow of
Quequechan
river.

Any owner of riparian property situated on the South Watuppa pond or the Quequechan river who is damaged in his property by the maintenance and operation of said dam and pumping station, and any owner of a manufacturing plant situated on the South Watuppa pond who has incurred expense made necessary to adjust such plant to any new level of water brought about by changes made in carrying out the plan of improvements under this act, shall be entitled to recover the damages so caused from the city of Fall River under chapter seventy-nine of the General Laws; but the assessment commissioners shall assess the cost so incurred, not in excess of the special benefit arising from such improvement, upon

Recovery of
damages by
certain riparian
owners, etc.

the real estate in, along or by the Quequechan river under the provisions of chapter eighty of the General Laws.

Repayment to
Watuppa
Reservoir
Company of
certain expense,
etc., apportion-
ment of
expense, etc.

The expense of maintaining and operating said dam and pumping station shall be annually repaid to the Watuppa Reservoir Company by the city of Fall River and the amount so paid, not in excess of the special benefit arising therefrom, shall be apportioned by the assessment commission on the real estate in, along or by the Quequechan river. Such apportionment shall remain in force until changed as hereinafter provided, and shall be assessed annually upon the designated real estate. The provisions of chapter eighty of the General Laws with relation to the collection and abatement of betterment assessments and to interest thereon shall apply to such assessments.

Appointment
of new assess-
ment commis-
sion.

After five years from the date of such apportionment the mayor of Fall River shall, on the petition of any party in interest, appoint a new assessment commission, which shall be appointed and act and shall make a new apportionment in the manner and form hereinbefore provided; and such apportionment shall remain in force until changed in like manner.

Repeals, etc.

SECTION 5. All provisions of chapter three hundred and eleven of the Special Acts of nineteen hundred and sixteen, as amended by chapter five hundred and forty-four of the acts of nineteen hundred and twenty, which are inconsistent with the provisions of this act are hereby repealed, but no action taken under the authority of said statute is hereby made invalid, and the improvement therein authorized is to proceed without interruption.

Assessment
commissioners
not obliged to
comply with
certain require-
ments of law.

In the assessment of betterments under this act the assessment commissioners shall not be obliged to include in the order of taking or to prepare or file the description, plan and estimate required by the provisions of section two of chapter eighty of the General Laws.

SECTION 6. This act shall take effect upon its passage.

Approved May 29, 1922.

Chap. 485 AN ACT RELATIVE TO THE SALE AND CARRYING OF FIRE-ARMS.

Be it enacted, etc., as follows:

G. L. 140,
§ 121, amended.

SECTION 1. Section one hundred and twenty-one of chapter one hundred and forty of the General Laws is hereby amended by striking out all after the word "inches" in the

sixth line down to and including the word "towns" in the seventh line, so as to read as follows: — *Section 121*. In sections one hundred and twenty-two to one hundred and twenty-nine, inclusive, "firearms" includes a pistol, revolver or other weapon of any description, loaded or unloaded, from which a shot or bullet can be discharged and of which the length of barrel, not including any revolving, detachable or magazine breech, does not exceed twelve inches. Said sections shall not apply to antique firearms incapable of use as firearms nor to sales of firearms at wholesale.

Sale of firearms.
Definition of word "firearms."

Sections not applicable to certain firearms.

SECTION 2. Said chapter one hundred and forty is hereby amended by striking out section one hundred and twenty-two and inserting in place thereof the following: — *Section 122*. The licensing authorities in any town may, in their discretion, grant licenses to persons to sell, rent or lease firearms and may fix a fee for such license. Every such license shall specify the street and number, if any, of the building where the business is to be carried on and the license shall not protect a licensee who carries on his business in any other place.

G. L. 140, § 122, amended.

Licenses to sell, rent, etc., firearms.

SECTION 3. Said chapter one hundred and forty is hereby further amended by inserting after section one hundred and twenty-two the following new section: — *Section 122A*. The licensing authorities shall record all licenses issued under the preceding section in books kept for the purpose, shall furnish the licensee with a sales record book to be kept by him as provided in section one hundred and twenty-three and shall, upon the granting of any license, send notice thereof to the commissioner of public safety. The said books shall be supplied by the commissioner, upon application of the licensing authorities, at a price not in excess of the cost thereof.

G. L. 140, new section after § 122.

Record of licenses issued, etc.

Notice to commissioner of public safety, etc.

SECTION 4. Said chapter one hundred and forty is hereby further amended by striking out section one hundred and twenty-three and inserting in place thereof the following: — *Section 123*. The license shall be expressed to be and shall be subject to the following conditions: First, That the provisions in regard to the nature of the license and the building in which the business may be carried on under it shall be strictly adhered to. Second, That every licensee shall before delivery of a firearm make or cause to be made a true entry in a sales record book to be furnished by the licensing authorities and to be kept for that purpose, specifying the description of the firearm, the make, number, whether single barrel, magazine, revolver, pin, rim or central fire, whether sold, rented or leased, the date and hour of such delivery, and the full

G. L. 140, § 123, amended.

Conditions of licenses.

Conditions of
licenses.

name, sex, residence and occupation of the purchaser, exchanger or hirer. The said book shall be open at all times to the inspection of the licensing authorities and of the police. Third, That the license or a copy thereof, certified by the recording officer of the licensing authorities or by the clerk of the town by which it is issued, shall be displayed on the premises in a position where it can easily be read. Fourth, That no firearms shall be displayed in any outer window of said premises or in any other place where they can readily be seen from the outside. Fifth, That the licensee shall, once a week, send a copy of the record of sales made by him for the preceding seven days to the licensing authorities and to the commissioner of public safety. Sixth, That every firearm shall be delivered securely wrapped and fastened and shall be unloaded when delivered. Seventh, That no delivery of a firearm shall be made on the day of the application for the purchase, rent or lease thereof, except to a person having a permit to carry a firearm issued under section one hundred and thirty-one. Eighth, That the license shall be subject to forfeiture as herein provided for breach of any of its conditions, and that, if the licensee is convicted of a violation of any such condition, his license shall thereupon become void.

G. L. 140, § 125,
amended.

SECTION 5. Section one hundred and twenty-five of said chapter one hundred and forty is hereby amended by striking out, in the first line, the word "board" and inserting in place thereof the word: — authorities, — and by striking out all after the word "heard" in the second line down to and including the word "council" in the third line, so as to read as follows: — *Section 125.* The licensing authorities, after notice to the licensee and reasonable opportunity for him to be heard, may declare his license forfeited, or may suspend his license for such period of time as they may deem proper, upon satisfactory proof that he has violated or permitted a violation of any condition thereof or has violated any law. The pendency of proceedings before a court shall not suspend or interfere with the power to declare a forfeiture. If the license is declared forfeited, the licensee shall be disqualified to receive a license for one year after the expiration of the term of the license so forfeited.

Forfeiture or
suspension of
licenses.

G. L. 140, § 127,
amended.

SECTION 6. Section one hundred and twenty-seven of said chapter one hundred and forty is hereby amended by striking out, in the first line, the word "boards" and inserting in place thereof the word: — authorities, — so as to read as follows: — *Section 127.* Licensing authorities may trans-

Transfer of
licenses.

fer licenses from one location to another within the town in which the licenses are in force, but such transfer shall be granted only to the original licensee and upon the same terms and conditions upon which the license was originally granted.

SECTION 7. Said chapter one hundred and forty is hereby further amended by inserting after section one hundred and twenty-nine the following new section: — *Section 129A*. No unnaturalized foreign born person shall, within the commonwealth, own or have in his possession or under his control a firearm as defined in section one hundred and twenty-one, unless such person has a permit under section one hundred and thirty-one to carry such firearm. Any violation of this section shall be punished by a fine of not less than one hundred dollars or by imprisonment for not more than three months, or both.

G. L. 140, new section after § 129.

Permit required for possession, etc., of firearms by aliens.

Penalty.

SECTION 8. Section one hundred and thirty of said chapter one hundred and forty is hereby amended by inserting after the word "fifteen" in the second line the words: — , or to an unnaturalized foreign born person who has not a permit to carry firearms under section one hundred and thirty-one, — so as to read as follows: — *Section 130*. Whoever sells or furnishes to a minor under the age of fifteen, or to an unnaturalized foreign born person who has not a permit to carry firearms under section one hundred and thirty-one, any firearm, air gun or other dangerous weapon or ammunition therefor shall be punished by a fine of not less than ten nor more than fifty dollars, but instructors and teachers may furnish military weapons to pupils for instruction and drill.

G. L. 140, § 130, amended.

Penalty for selling firearms, etc., to certain minors and to certain aliens.

SECTION 9. Said chapter one hundred and forty is hereby further amended by striking out section one hundred and thirty-one and inserting in place thereof the following: — *Section 131*. The justice of a court or a trial justice, the board of police or mayor of a city, the selectmen of a town, or the commissioner of public safety, or persons authorized by them may, upon the application of any person residing or having a place of business within the jurisdiction of the person issuing the license, issue a license to such person to carry a pistol or revolver in the commonwealth if it appears that the applicant has good reason to fear an injury to his person or property or for any other proper purpose, and that he is a suitable person to be so licensed. Such license shall be issued for a term not to exceed one year, but may be for a less period, and all such licenses shall be revocable at the will of the person or body issuing the same. Said licenses shall be issued

G. L. 140, § 131, amended.

Licenses to carry pistols or revolvers, issuance, duration, etc.

on forms furnished by the commissioner of public safety and a copy of every license so issued shall within one week after the granting thereof be sent to the said commissioner.

G. L. 269, § 12,
amended.

SECTION 10. Section twelve of chapter two hundred and sixty-nine of the General Laws is hereby amended by inserting after the word "shot" in the third line the words: — , sword cane, pistol cane, bludgeon, blackjack, — so as to read as follows: — *Section 12.* Whoever manufactures or causes to be manufactured, or sells or exposes for sale, an instrument or weapon of the kind usually known as slung shot, sword cane, pistol cane, bludgeon, blackjack, or metallic knuckles, shall be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not more than six months.

Penalty for
manufacture,
sale, etc., of
slung shots,
sword canes,
etc.

Expiration of
licenses hereto-
fore issued.

SECTION 11. All licenses heretofore issued under section one hundred and thirty-one of chapter one hundred and forty of the General Laws or the corresponding provisions of earlier laws shall expire on January first, nineteen hundred and twenty-three.

Approved May 29, 1922.

Chap. 486 AN ACT MAKING UNIFORM THE LAWS RELATIVE TO PARTNERSHIPS.

Be it enacted, etc., as follows:

G. L. new
chapter after
chapter 108.

SECTION 1. The General Laws is hereby amended by inserting after chapter one hundred and eight the following new chapter, to be numbered one hundred and eight A, and to be entitled, "Partnerships."

CHAPTER 108A.
PARTNERSHIPS.

Uniform
Partnership
Act.
Definition of
terms.

Section 1. This chapter may be cited as the Uniform Partnership Act.

Section 2. In this chapter, "court" includes every court and judge having jurisdiction in the case.

"Business" includes every trade, occupation, or profession.

"Bankrupt" includes bankrupt under the Federal Bankruptcy Act or insolvent under any state insolvent law.

"Conveyance" includes every assignment, lease, mortgage or encumbrance.

"Real property" includes land and any interest or estate in land.

Interpretation
of knowledge
and notice.

Section 3. (1) A person has "knowledge" of a fact within the meaning of this chapter, not only when he has actual

knowledge thereof, but also when he has knowledge of such other facts as in the circumstances show bad faith.

(2) A person has "notice" of a fact within the meaning of this chapter when the person who claims the benefit of the notice

(a) States the fact to such person, or

(b) Delivers through the mail, or by other means of communication, a written statement of the fact to such person or to a proper person at his place of business or residence.

Section 4. (1) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this chapter. Rules of construction.

(2) The law of estoppel shall apply under this chapter.

(3) The law of agency shall apply under this chapter.

(4) This chapter shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

(5) This chapter shall not be construed so as to impair the obligations of any contract existing on January first, nineteen hundred and twenty-three, nor to affect any action or proceedings begun or right accrued before said date.

Section 5. In any case not provided for in this chapter the rules of law and equity, including the law merchant, shall govern. Rules for cases not provided for in this Act.

NATURE OF PARTNERSHIP.

Section 6. (1) A partnership is an association of two or more persons to carry on as co-owners a business for profit. Partnership defined.

(2) But any association formed under any other statute of this state, or any statute adopted by authority, other than the authority of this state, is not a partnership under this chapter, unless such association would have been a partnership in this state prior to January first, nineteen hundred and twenty-three; but this chapter shall apply to limited partnerships except in so far as the statutes relating to such partnerships are inconsistent herewith.

Section 7. In determining whether a partnership exists, these rules shall apply: Rules for determining the existence of a partnership.

(1) Except as provided by section sixteen persons who are not partners as to each other are not partners as to third persons.

(2) Joint tenancy, tenancy in common, tenancy by the entirety, joint property, common property, or part ownership does not of itself establish a partnership, whether such

Rules for determining the existence of a partnership.

co-owners do or do not share any profits made by the use of the property.

(3) The sharing of gross returns does not of itself establish a partnership, whether or not the persons sharing them have a joint or common right or interest in any property from which the returns are derived.

(4) The receipt by a person of a share of the profits of a business is *prima facie* evidence that he is a partner in the business, but no such inference shall be drawn if such profits were received in payment:

- (a) Of a debt by instalments or otherwise,
- (b) As wages of an employee or rent to a landlord,
- (c) As an annuity to a widow or representative of a deceased partner,
- (d) As interest on a loan, though the amount of payment vary with the profits of the business,
- (e) As the consideration for the sale of the good-will of a business or other property by instalments or otherwise.

Partnership property.

Section 8. (1) All property originally brought into the partnership stock or subsequently acquired, by purchase or otherwise, on account of the partnership is partnership property.

(2) Unless the contrary intention appears, property acquired with partnership funds is partnership property.

(3) Any estate in real property may be acquired in the partnership name. Title so acquired can be conveyed only in the partnership name.

(4) A conveyance to a partnership in the partnership name, though without words of inheritance, passes the entire estate of the grantor unless a contrary intent appears.

RELATIONS OF PARTNERS TO PERSONS DEALING WITH THE PARTNERSHIP.

Partner agent of partnership as to partnership business.

Section 9. (1) Every partner is an agent of the partnership for the purpose of its business, and the act of every partner, including the execution in the partnership name of any instrument, for apparently carrying on in the usual way the business of the partnership of which he is a member binds the partnership, unless the partner so acting has in fact no authority to act for the partnership in the particular matter, and the person with whom he is dealing has knowledge of the fact that he has no such authority.

(2) An act of a partner which is not apparently for the carrying on of the business of the partnership in the usual

way does not bind the partnership unless authorized by the other partners.

(3) Unless authorized by the other partners or unless they have abandoned the business, one or more but less than all the partners have no authority to:

(a) Assign the partnership property in trust for creditors or on the assignee's promise to pay the debts of the partnership,

(b) Dispose of the good will of the business,

(c) Do any other act which would make it impossible to carry on the ordinary business of the partnership,

(d) Confess a judgment,

(e) Submit a partnership claim or liability to arbitration or reference.

(4) No act of a partner in contravention of a restriction on his authority shall bind the partnership to persons having knowledge of the restriction.

Section 10. (1) Where title to real property is in the partnership name, any partner may convey title to such property by a conveyance executed in the partnership name; but the partnership may recover such property unless the partner's act binds the partnership under the provisions of paragraph (1) of section nine, or unless such property has been conveyed by the grantee or a person claiming through such grantee to a holder for value without knowledge that the partner, in making the conveyance, has exceeded his authority.

Conveyance of real property of the partnership.

(2) Where title to real property is in the name of the partnership, a conveyance executed by a partner, in his own name, passes the equitable interest of the partnership, provided the act is one within the authority of the partner under the provisions of paragraph (1) of section nine.

Proviso.

(3) Where title to real property is in the name of one or more but not all the partners, and the record does not disclose the right of the partnership, the partners in whose name the title stands may convey title to such property, but the partnership may recover such property if the partners' act does not bind the partnership under the provisions of paragraph (1) of section nine, unless the purchaser or his assignee is a holder for value, without knowledge.

(4) Where the title to real property is in the name of one or more of all the partners, or in a third person in trust for the partnership, a conveyance executed by a partner in the partnership name, or in his own name, passes the equitable

Proviso.

interest of the partnership, provided the act is one within the authority of the partner under the provisions of paragraph (1) of section nine.

(5) Where the title to real property is in the names of all the partners a conveyance executed by all the partners passes all their rights in such property.

Partnership bound by admission of partner.

Section 11. An admission or representation made by any partner concerning partnership affairs within the scope of his authority as conferred by this chapter is evidence against the partnership.

Partnership charged with knowledge of or notice to partner.

Section 12. Notice to any partner of any matter relating to partnership affairs, and the knowledge of the partner acting in the particular matter, acquired while a partner or then present to his mind, and the knowledge of any other partner who reasonably could and should have communicated it to the acting partner operate as notice to or knowledge of the partnership, except in the case of a fraud on the partnership committed by or with the consent of that partner.

Partnership bound by partner's wrongful act.

Section 13. Where, by any wrongful act or omission of any partner acting in the ordinary course of the business of the partnership, or with the authority of his co-partners, loss or injury is caused to any person, not being a partner in the partnership, or any penalty is incurred, the partnership is liable therefor to the same extent as the partner so acting or omitting to act.

Partnership bound by partner's breach of trust.

Section 14. The partnership is bound to make good the loss:

(a) Where one partner acting within the scope of his apparent authority receives money or property of a third person and misapplies it; and

(b) Where the partnership in the course of its business receives money or property of a third person and the money or property so received is misapplied by any partner while it is in the custody of the partnership.

Nature of partner's liability.

Section 15. All partners are liable:

(a) Jointly and severally for everything chargeable to the partnership under sections thirteen and fourteen.

(b) Jointly for all other debts and obligations of the partnership; but any partner may enter into a separate obligation to perform a partnership contract.

Partner by estoppel.

Section 16. (1) When a person, by words spoken or written or by conduct, represents himself, or consents to another representing him to any one, as a partner in an existing partnership or with one or more persons not actual

partners, he is liable to any such person to whom such representation has been made, who has, on the faith of such representation, given credit to the actual or apparent partnership, and if he has made such representation or consented to its being made in a public manner he is liable to such person, whether the representation has or has not been made or communicated to such person so giving credit by or with the knowledge of the apparent partner making the representation or consenting to its being made.

(a) When a partnership liability results he is liable as though he were an actual member of the partnership.

(b) When no partnership liability results he is liable jointly with the other persons, if any, so consenting to the contract or representation as to incur liability, otherwise separately.

(2) When a person has been thus represented to be a partner in an existing partnership, or with one or more persons not actual partners, he is an agent of the persons consenting to such representation to bind them to the same extent and in the same manner as though he were a partner in fact, with respect to persons who rely upon the representation. Where all the members of the existing partnership consent to the representation, a partnership act or obligation results; but in all other cases it is the joint act or obligation of the person acting and the persons consenting to the representation.

Section 17. A person admitted as a partner into an existing partnership is liable for all the obligations of the partnership arising before his admission as though he had been a partner when such obligations were incurred, except that this liability shall be satisfied only out of partnership property.

Liability of incoming partner.

RELATIONS OF PARTNERS TO ONE ANOTHER.

Section 18. The rights and duties of the partners in relation to the partnership shall be determined, subject to any agreement between them, by the following rules:

Rules determining rights and duties of partners.

(a) Each partner shall be repaid his contributions, whether by way of capital or advances to the partnership property, and share equally in the profits and surplus remaining after all liabilities, including those to partners, are satisfied; and must contribute towards the losses, whether of capital or otherwise, sustained by the partnership according to his share in the profits.

(b) The partnership must indemnify every partner in respect of payments made and personal liabilities reasonably in-

Rules determining rights and duties of partners.

curred by him in the ordinary and proper conduct of its business, or for the preservation of its business or property.

(c) A partner, who in aid of the partnership makes any payment or advance beyond the amount of capital which he agreed to contribute, shall be paid interest from the date of the payment or advance.

(d) A partner shall receive interest on the capital contributed by him only from the date when repayment should be made.

(e) All partners have equal rights in the management and conduct of the partnership business.

(f) No partner is entitled to remuneration for acting in the partnership business, except that a surviving partner is entitled to reasonable compensation for his services in winding up the partnership affairs.

(g) No person can become a member of a partnership without the consent of all the partners.

(h) Any difference arising as to ordinary matters connected with the partnership business may be decided by a majority of the partners; but no act in contravention of any agreement between the partners may be done rightfully without the consent of all the partners.

Partnership books.

Section 19. The partnership books shall be kept, subject to any agreement between the partners, at the principal place of business of the partnership, and every partner shall at all times have access to and may inspect and copy any of them.

Duty of partners to render information.

Section 20. Partners shall render on demand true and full information of all things affecting the partnership to any partner or the legal representative of any deceased partner or partner under legal disability.

Partner accountable as a fiduciary.

Section 21. (1) Every partner must account to the partnership for any benefit, and hold as trustee for it any profits derived by him without the consent of the other partners from any transaction connected with the formation, conduct or liquidation of the partnership or from any use by him of its property.

(2) This section applies also to the representatives of a deceased partner engaged in the liquidation of the affairs of the partnership as the personal representatives of the last surviving partner.

Right to an account.

Section 22. Any partner shall have the right to a formal account as to partnership affairs:

(a) If he is wrongfully excluded from the partnership business or possession of its property by his co-partners,

- (b) If the right exists under the terms of any agreement,
- (c) As provided by section twenty-one,
- (d) Whenever other circumstances render it just and reasonable.

Section 23. (1) When a partnership for a fixed term or particular undertaking is continued after the termination of such term or particular undertaking without any express agreement, the rights and duties of the partners remain the same as they were at such termination, so far as is consistent with a partnership at will.

Continuation of partnership beyond fixed term.

(2) A continuation of the business by the partners or such of them as habitually acted therein during the term, without any settlement or liquidation of the partnership affairs, is prima facie evidence of a continuation of the partnership.

PROPERTY RIGHTS OF A PARTNER.

Section 24. The property rights of a partner are (1) his rights in specific partnership property, (2) his interest in the partnership, and (3) his right to participate in the management.

Extent of property rights of a partner.

Section 25. (1) A partner is co-owner with his partners of specific partnership property holding as a tenant in partnership.

Nature of a partner's right in specific partnership property.

(2) The incidents of this tenancy are such that:

(a) A partner, subject to the provisions of this chapter and to any agreement between the partners, has an equal right with his partners to possess specific partnership property for partnership purposes; but he has no right to possess such property for any other purpose without the consent of his partners.

(b) A partner's right in specific partnership property is not assignable except in connection with the assignment of the rights of all the partners in the same property.

(c) A partner's right in specific partnership property is not subject to attachment or execution, except on a claim against the partnership. When partnership property is attached for a partnership debt the partners, or any of them, or the representatives of a deceased partner, cannot claim any right under the homestead or exemption laws.

(d) On the death of a partner his right in specific partnership property vests in the surviving partner or partners, except where the deceased was the last surviving partner, when his right in such property vests in his legal representative. Such surviving partner or partners, or the legal repre-

sentative of the last surviving partner, has no right to possess the partnership property for any but a partnership purpose.

(e) A partner's right in specific partnership property is not subject to dower, curtesy, or allowances to widows, heirs, or next of kin.

Nature of partner's interest in the partnership.

Section 26. A partner's interest in the partnership is his share of the profits and surplus, and the same is personal property.

Assignment of partner's interest.

Section 27. (1) A conveyance by a partner of his interest in the partnership does not of itself dissolve the partnership, nor, as against the other partners in the absence of agreement, entitle the assignee, during the continuance of the partnership, to interfere in the management or administration of the partnership business or affairs, or to require any information or account of partnership transactions, or to inspect the partnership books; but it merely entitles the assignee to receive in accordance with his contract the profits to which the assigning partner would otherwise be entitled.

(2) In case of a dissolution of the partnership, the assignee is entitled to receive his assignor's interest and may require an account from the date only of the last account agreed to by all the partners.

Partner's interest subject to charging order.

Section 28. (1) On due application to the superior court by any judgment creditor of a partner, such court may charge the interest of the debtor partner with payment of the unsatisfied amount of such judgment debt with interest thereon; and may then or later appoint a receiver of his share of the profits, and of any other money due or to fall due to him in respect of the partnership, and make all other orders, directions, accounts and inquiries which the debtor partner might have made, or which the circumstances of the case may require.

(2) The interest charged may be redeemed at any time before foreclosure, or in case of a sale being directed by the court may be purchased without thereby causing a dissolution:

(a) With separate property, by any one or more of the partners, or

(b) With partnership property, by any one or more of the partners with the consent of all the partners whose interests are not so charged or sold.

(3) Nothing in this chapter shall be held to deprive a partner of his right, if any, under the exemption laws, as regards his interest in the partnership.

DISSOLUTION AND WINDING UP.

Section 29. The dissolution of a partnership is the change in the relation of the partners caused by any partner ceasing to be associated in the carrying on as distinguished from the winding up of the business. Dissolution defined.

Section 30. On dissolution the partnership is not terminated, but continues until the winding up of partnership affairs is completed. Partnership not terminated by dissolution.

Section 31. Dissolution is caused:

Causes of dissolution.

(1) Without violation of the agreement between the partners,

(a) By the termination of the definite term or particular undertaking specified in the agreement,

(b) By the express will of any partner when no definite term or particular undertaking is specified,

(c) By the express will of all the partners who have not assigned their interests or suffered them to be charged for their separate debts, either before or after the termination of any specified term or particular undertaking,

(d) By the expulsion of any partner from the business bona fide in accordance with such a power conferred by the agreement between the partners;

(2) In contravention of the agreement between the partners, where the circumstances do not permit a dissolution under any other provision of this section, by the express will of any partner at any time;

(3) By any event which makes it unlawful for the business of the partnership to be carried on or for the members to carry it on in partnership;

(4) By the death of any partner;

(5) By the bankruptcy of any partner or the partnership;

(6) By decree of court under section thirty-two.

Section 32. (1) On application by or for a partner the court shall decree a dissolution whenever: Dissolution by decree of court.

(a) A partner has been declared a lunatic in any judicial proceeding or is shown to be of unsound mind,

(b) A partner becomes in any other way incapable of performing his part of the partnership contract,

(c) A partner has been guilty of such conduct as tends to affect prejudicially the carrying on of the business,

(d) A partner wilfully or persistently commits a breach of the partnership agreement, or otherwise so conducts himself in matters relating to the partnership business that it is not

Dissolution by
decree of
court.

reasonably practicable to carry on the business in partnership with him,

(e) The business of the partnership can only be carried on at a loss,

(f) Other circumstances render a dissolution equitable.

(2) On the application of the purchaser of a partner's interest under section twenty-seven or twenty-eight:

(a) After the termination of the specified term or particular undertaking,

(b) At any time if the partnership was a partnership at will when the interest was assigned or when the charging order was issued.

General
effect of
dissolution on
authority of
partner.

Section 33. Except so far as may be necessary to wind up partnership affairs or to complete transactions begun but not then finished, dissolution terminates all authority of any partner to act for the partnership,

(1) With respect to the partners,

(a) When the dissolution is not by the act, bankruptcy or death of a partner; or

(b) When the dissolution is by such act, bankruptcy or death of a partner, in cases where section thirty-four so requires;

(2) With respect to persons not partners, as declared in section thirty-five.

Right of
partner to
contribution
from co-
partners after
dissolution.

Section 34. Where the dissolution is caused by the act, death or bankruptcy of a partner, each partner is liable to his co-partners for his shares of any liability created by any partner acting for the partnership as if the partnership had not been dissolved unless

(a) The dissolution being by act of any partner, the partner acting for the partnership had knowledge of the dissolution, or

(b) The dissolution being by the death or bankruptcy of a partner, the partner acting for the partnership had knowledge or notice of the death or bankruptcy.

Power of
partner to
bind partner-
ship to third
persons after
dissolution.

Section 35. (1) After dissolution a partner can bind the partnership except as provided in paragraph (3)

(a) By any act appropriate for winding up partnership affairs or completing transactions unfinished at dissolution;

(b) By any transaction which would bind the partnership if dissolution had not taken place, provided the other party to the transaction

(I) Had extended credit to the partnership prior to dissolution and had no knowledge or notice of the dissolution; or

(II) Though he had not so extended credit, had nevertheless known of the partnership prior to dissolution, and, having no knowledge or notice of dissolution, the fact of dissolution has not been advertised in a newspaper of general circulation in the place (or in each place if more than one) at which the partnership business was regularly carried on.

(2) The liability of a partner under paragraph (1 *b*) shall be satisfied out of partnership assets alone when such partner had been prior to dissolution

(a) Unknown as a partner to the person with whom the contract is made; and

(b) So far unknown and inactive in partnership affairs that the business reputation of the partnership could not be said to have been in any degree due to his connection with it.

(3) The partnership is in no case bound by any act of a partner after dissolution

(a) Where the partnership is dissolved because it is unlawful to carry on the business, unless the act is appropriate for winding up partnership affairs; or

(b) Where the partner has become bankrupt; or

(c) Where the partner has no authority to wind up partnership affairs, except by a transaction with one who

(I) Had extended credit to the partnership prior to dissolution and had no knowledge or notice of his want of authority; or

(II) Had not extended credit to the partnership prior to dissolution, and, having no knowledge or notice of his want of authority, the fact of his want of authority has not been advertised in the manner provided for advertising the fact of dissolution in paragraph (1 *b* II).

(4) Nothing in this section shall affect the liability under section sixteen of any person who after dissolution represents himself or consents to another representing him as a partner in a partnership engaged in carrying on business.

Section 36. (1) The dissolution of the partnership does not of itself discharge the existing liability of any partner.

Effect of
dissolution on
partner's ex-
isting liability.

(2) A partner is discharged from any existing liability upon dissolution of the partnership by an agreement to that effect between himself, the partnership creditor and the person or partnership continuing the business; and such agreement may be inferred from the course of dealing between the creditor having knowledge of the dissolution and the person or partnership continuing the business.

(3) Where a person agrees to assume the existing obliga-

tions of a dissolved partnership, the partners whose obligations have been assumed shall be discharged from any liability to any creditor of the partnership who, knowing of the agreement, consents to a material alteration in the nature or time of payment of such obligations.

(4) The individual property of a deceased partner shall be liable for all obligations of the partnership incurred while he was a partner but subject to the prior payment of his separate debts.

Right to wind up.

Proviso.

Rights of partners to application of partnership property.

Section 37. Unless otherwise agreed the partners who have not wrongfully dissolved the partnership or the legal representative of the last surviving partner, not bankrupt, has the right to wind up the partnership affairs; provided, that any partner, his legal representative, or his assignee, upon cause shown, may obtain winding up by the court.

Section 38. (1) When dissolution is caused in any way, except in contravention of the partnership agreement, each partner, as against his co-partners and all persons claiming through them in respect of their interests in the partnership, unless otherwise agreed, may have the partnership property applied to discharge its liabilities, and the surplus applied to pay in cash the net amount owing to the respective partners. But if dissolution is caused by expulsion of a partner bona fide under the partnership agreement, and if the expelled partner is discharged from all partnership liabilities, either by payment or agreement under section thirty-six (2), he shall receive in cash only the net amount due him from the partnership.

(2) When dissolution is caused in contravention of the partnership agreement the rights of the partners shall be as follows:

(a) Each partner who has not caused dissolution wrongfully shall have —

I. All the rights specified in paragraph (1) of this section, and

II. The right, as against each partner who has caused the dissolution wrongfully, to damages for breach of the agreement.

(b) The partners who have not caused the dissolution wrongfully, if they all desire to continue the business in the same name, either by themselves or jointly with others, may do so during the agreed term for the partnership, and for that purpose may possess the partnership property, provided they secure the payment by bond approved by the court, or pay

Proviso.

to any partner who has caused the dissolution wrongfully the value of his interest in the partnership at the dissolution, less any damages recoverable under clause (2 a II) of this section, and in like manner indemnify him against all present or future partnership liabilities. Same subject.

(c) A partner who has caused the dissolution wrongfully shall have —

I. If the business is not continued under the provisions of paragraph (2 b), all the rights of a partner under paragraph (1), subject to clause (2 a II) of this section.

II. If the business is continued under paragraph (2 b) of this section, the right as against his co-partners and all claiming through them in respect of their interests in the partnership, to have the value of his interest in the partnership, less any damages caused to his co-partners by the dissolution, ascertained and paid to him in cash, or the payment secured by bond approved by the court, and to be released from all existing liabilities of the partnership; but in ascertaining the value of the partner's interest the value of the good will of the business shall not be considered.

Section 39. Where a partnership contract is rescinded on the ground of the fraud or misrepresentation of one of the parties thereto, the party entitled to rescind is, without prejudice to any other right, entitled — Rights where partnership is dissolved for fraud or misrepresentation.

(a) To a lien on, or right of retention of, the surplus of the partnership property after satisfying the partnership liabilities to third persons for any sum of money paid by him for the purchase of an interest in the partnership and for any capital or advances contributed by him; and

(b) To stand, after all liabilities to third persons have been satisfied, in the place of the creditors of the partnership for any payments made by him in respect of the partnership liabilities; and

(c) To be indemnified by the person guilty of the fraud or making the representation against all debts and liabilities of the partnership.

Section 40. In settling accounts between the partners after dissolution, the following rules shall be observed, subject to any agreement to the contrary: Rules for distribution in settling accounts after dissolution.

(a) The assets of the partnership are —

I. The partnership property.

II. The contributions of the partners necessary for the payment of all the liabilities specified in clause (b) of this section.

Rules for
distribution
in settling
accounts after
dissolution.

(b) The liabilities of the partnership shall rank in order of payment, as follows:

I. Those owing to creditors other than partners.

II. Those owing to partners other than for capital and profits.

III. Those owing to partners in respect of capital.

IV. Those owing to partners in respect of profits.

(c) The assets shall be applied in the order of their declaration in clause (a) of this section to the satisfaction of the liabilities.

(d) The partners shall contribute, as provided by section eighteen (a), the amount necessary to satisfy the liabilities; but if any, but not all, of the partners are insolvent, or, not being subject to process, refuse to contribute, the other partners shall contribute their share of the liabilities, and, in the relative proportions in which they share the profits, the additional amount necessary to pay the liabilities.

(e) An assignee for the benefit of creditors or any person appointed by the court shall have the right to enforce the contributions specified in clause (d) of this section.

(f) Any partner or his legal representative shall have the right to enforce the contributions specified in clause (d) of this section, to the extent of the amount which he has paid in excess of his share of the liability.

(g) The individual property of a deceased partner shall be liable for the contributions specified in clause (d) of this section.

(h) When partnership property and the individual properties of the partners are in the possession of a court for distribution, partnership creditors shall have priority on partnership property and separate creditors on individual property, saving the rights of lien or secured creditors as heretofore.

(i) Where a partner has become bankrupt or his estate is insolvent, the claims against his separate property shall rank in the following order:

I. Those owing to separate creditors.

II. Those owing to partnership creditors.

III. Those owing to partners by way of contribution.

Section 41. (1) When any new partner is admitted into an existing partnership, or when any partner retires and assigns, or dies and his representative assigns, his rights in partnership property to two or more of the partners, or to one or more of the partners, and one or more third persons, if the

Liability of
persons con-
tinuing the
business in
certain cases.

business is continued without liquidation of the partnership affairs, creditors of the first or dissolved partnership are also creditors of the partnership so continuing the business. Same subject.

(2) When all but one partner retire and assign, or die and their representatives assign, their rights in partnership property to the remaining partner, who continues the business without liquidation of partnership affairs, either alone or with others, creditors of the dissolved partnership are also creditors of the person or partnership so continuing the business.

(3) When any partner retires or dies and the business of the dissolved partnership is continued as set forth in paragraph (1) or (2) of this section, with the consent of the retired partners or the representative of the deceased partner, but without any assignment of his right in partnership property, rights of creditors of the dissolved partnership and of the creditors of the person or partnership continuing the business shall be as if such assignment had been made.

(4) When all the partners or their representatives assign their rights in partnership property to one or more third persons, who promise to pay the debts and who continue the business of the dissolved partnership, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(5) When any partner wrongfully causes a dissolution and the remaining partners continue the business under the provisions of section thirty-eight (2 *b*), either alone or with others, and without liquidation of the partnership affairs, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(6) When a partner is expelled and the remaining partners continue the business either alone or with others, without liquidation of the partnership affairs, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(7) The liability of a third person becoming a partner in the partnership continuing the business, under this section, to the creditors of the dissolved partnership shall be satisfied out of partnership property only.

(8) When the business of a partnership after dissolution is continued under any conditions set forth in this section, the creditors of the dissolved partnership, as against the separate creditors of the retiring or deceased partner or the representative of the deceased partner, have a prior right to any claim

of the retired partner or the representative of the deceased partner against the person or partnership continuing the business, on account of the retired or deceased partner's interest in the dissolved partnership or on account of any consideration promised for such interest or for his right in partnership property.

(9) Nothing in this section shall be held to modify any right of creditors to set aside any assignment on the ground of fraud.

(10) The use by the person or partnership continuing the business of the partnership name, or the name of a deceased partner as part thereof, shall not of itself make the individual property of the deceased partner liable for any debts contracted by such person or partnership.

Rights of retiring or estate of deceased partner when the business is continued.

Section 42. When any partner retires or dies, and the business is continued under any of the conditions set forth in section forty-one (1) (2) (3) (5) (6), or section thirty-eight (2 *b*), without any settlement of accounts as between him or his estate and the person or partnership continuing the business, unless otherwise agreed, he or his legal representative as against such persons or partnership may have the value of his interest at the date of dissolution ascertained, and shall receive as an ordinary creditor an amount equal to the value of his interest in the dissolved partnership with interest, or, at his option or at the option of his legal representative, in lieu of interest, the profits attributable to the use of his right in the property of the dissolved partnership; provided, that the creditors of the dissolved partnership as against the separate creditors, or the representative of the retired or deceased partner, shall have priority on any claim arising under this section, as provided by section forty-one (8).

Proviso.

Accrual of actions.

Section 43. The right to an account of his interest shall accrue to any partner, or his legal representative, as against the winding up partners or the surviving partners or the person or partnership continuing the business, at the date of dissolution, in the absence of any agreement to the contrary.

G. L. 214, § 3, clause 7, not affected.

Time of taking effect.

Section 44. Nothing in this chapter shall affect clause seven of section three of chapter two hundred and fourteen.

SECTION 2. This act shall take effect on January first, nineteen hundred and twenty-three.

Approved May 29, 1922.

AN ACT RELATIVE TO THE CLERK OF THE SUPREME JUDICIAL COURT FOR THE COMMONWEALTH AND TO CLERK HIRE THEREFOR. Chap. 487

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and twenty-one of the General Laws is hereby amended by inserting after the word "and" in the third line the words: — may appoint, — so as to read as follows: — *Section 1.* The justices of the supreme judicial court shall appoint the clerk of the supreme judicial court for the commonwealth for a term of five years from the date of his appointment, and may appoint an assistant clerk of said court for a term of three years from the first day of January next after his appointment, and may remove them.

G. L. 221, § 1, amended.

Clerk and assistant clerk of supreme judicial court for commonwealth, appointment, etc.

SECTION 2. Section ninety-three of said chapter two hundred and twenty-one is hereby amended by striking out, in the second and third lines, the words "of thirty-five hundred dollars" and inserting in place thereof the words: — to be fixed by the chief justice of said court, with the approval of the governor and council, — and by striking out, in the sixth line, the words "eight hundred" and inserting in place thereof the words: — one thousand, — so as to read as follows: — *Section 93.* The clerk of the supreme judicial court for the commonwealth shall receive from the commonwealth a salary to be fixed by the chief justice of said court, with the approval of the governor and council, with five hundred dollars a year for clerk hire; and the assistant clerk shall receive from the commonwealth a salary of fifteen hundred dollars; provided, that in case the office of assistant clerk is not filled, the clerk shall receive one thousand dollars a year for clerk hire.

G. L. 221, § 93, amended.

Salaries of clerk and assistant clerk of supreme judicial court for commonwealth.

Proviso.

Approved May 29, 1922.

AN ACT PROVIDING FOR THE ENFORCEMENT OF THE LIABILITIES OF STOCKHOLDERS OF TRUST COMPANIES. Chap. 488

Be it enacted, etc., as follows:

SECTION 1. Section twenty-four of chapter one hundred and sixty-seven of the General Laws is hereby amended by striking out all after the word "direct", in the ninth line, and inserting in place thereof the following new paragraph: — If, at any time after he has taken possession of the property and business of a trust company under section twenty-two,

G. L. 167, § 24, amended.

the commissioner deems it necessary to enforce the individual liability of stockholders therein, as described in the first sentence of section twenty-four of chapter one hundred and seventy-two, in order to pay the liabilities of such trust company, he may file a bill in equity, in the supreme judicial court for the county where the principal office of the trust company is located, against all persons who were stockholders therein at the time of such taking possession, to enforce such individual liability. The court may by its decree assess upon the stockholders in such suit severally sums in proportion to the amounts of stock held by them respectively at the time of such taking possession; but no such stockholder shall be liable to pay a larger sum than the amount of the par value of the stock held by him at the time of such taking possession. Such suit shall not abate by reason of the non-joinder of persons liable as respondents, unless the commissioner, after notice by plea or answer of their existence, unreasonably neglects to make them parties; nor shall it abate by reason of the death of a respondent, but his estate shall be liable in the hands of his executor or administrator, who may voluntarily appear, or who may be summoned by the commissioner to defend the suit, — so as to read as follows: — *Section 24.* Upon taking possession of the property and business of such bank, the commissioner may collect moneys due to the bank, and do all acts necessary to conserve its assets and business, and shall proceed to liquidate its affairs as hereinafter provided. He shall collect all debts due and claims belonging to it, and upon the order or decree of the supreme judicial court, or any justice thereof, may sell or compound all bad or doubtful debts, and on like order or decree may sell all, or any part of, the real and personal property of the bank on such terms as the court shall direct. If, at any time after he has taken possession of the property and business of a trust company under section twenty-two, the commissioner deems it necessary to enforce the individual liability of stockholders therein, as described in the first sentence of section twenty-four of chapter one hundred and seventy-two, in order to pay the liabilities of such trust company, he may file a bill in equity, in the supreme judicial court for the county where the principal office of the trust company is located, against all persons who were stockholders therein at the time of such taking possession, to enforce such individual liability. The court may by its decree assess upon the stockholders in such suit severally sums in proportion to the amounts of stock held by

Authority of commissioner of banks in possession of property and business of trust companies.

Enforcement of liability of stockholders, procedure, etc.

Assessments by court.

them respectively at the time of such taking possession; but no such stockholder shall be liable to pay a larger sum than the amount of the par value of the stock held by him at the time of such taking possession. Such suit shall not abate by reason of the non-joinder of persons liable as respondents, unless the commissioner, after notice by plea or answer of their existence, unreasonably neglects to make them parties; nor shall it abate by reason of the death of a respondent, but his estate shall be liable in the hands of his executor or administrator, who may voluntarily appear, or who may be summoned by the commissioner to defend the suit.

Suits not to abate, etc.

SECTION 2. Chapter one hundred and seventy-two of the General Laws is hereby amended by striking out section twenty-four and inserting in place thereof the following:—

G. L. 172, § 24, amended.

Section 24. The stockholders of such corporation shall be personally liable, equally and ratably and not one for another, for all contracts, debts and engagements of the corporation, to the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares, and no stockholder shall be allowed to set off any claim as a depositor in or creditor of either the commercial or savings departments against such liability. Sections forty-six to fifty-four, inclusive, of chapter one hundred and fifty-eight shall apply to and regulate the enforcement of such liability by creditors of the corporation.

Liability of stockholders of trust companies.

SECTION 3. Section twenty-five of said chapter one hundred and seventy-two is hereby amended by striking out, in the first and second lines, the words “whose stockholders are liable under the preceding section and”, and also by inserting after the word “section”, in the eighteenth line, the words:—, or the right of the commissioner to enforce such liability as provided in section twenty-four of chapter one hundred and sixty-seven,—so as to read as follows:—*Section 25.* Any such corporation whose capital stock has, in the opinion of the commissioner, become impaired by losses or otherwise, shall, within three months after receiving notice from the commissioner, pay the deficiency in the capital stock by assessment upon the stockholders pro rata to the shares held by each. If such corporation shall fail to pay such deficiency in its capital stock for three months after receiving such notice, the commissioner may apply to the supreme judicial court for an injunction; and if a stockholder of such corporation neglects or refuses, after three months’ notice, to pay the assessment as provided in this section, the board of directors

G. L. 172, § 25, amended.

Enforcement of liability of stockholders of trust companies.

shall cause an amount of his stock sufficient to make good his assessment to be sold by public auction, after thirty days' notice given by posting such notice in the office of the corporation and by publishing it in a newspaper of the city or town where the corporation is located or in a newspaper published nearest thereto; and the balance, if any, shall be returned to such delinquent stockholder. This section shall not take away the right of creditors to enforce the liability of stockholders in such corporations, as provided in the preceding section, or the right of the commissioner to enforce such liability as provided in section twenty-four of chapter one hundred and sixty-seven, nor increase the general liability of such stockholders.

Remedies at law, certain suits, etc., not affected.

SECTION 4. Nothing in this act shall affect any remedy at law against a trust company or stockholder thereof, nor any suit or proceeding relative to the affairs of any trust company in process of liquidation at the time of its passage or seeking to enforce any liability of any such company or of its stockholders.

Approved May 29, 1922.

Chap.489 AN ACT RELATIVE TO CERTAIN DEDUCTIONS FROM TAXABLE INCOMES.

Be it enacted, etc., as follows:

G. L. 62, § 6, par. (h), amended.

Taxation of incomes. Deduction for husband, wife, child or dependent parent.

Section six of chapter sixty-two of the General Laws is hereby amended in paragraph (h) by striking out the last sentence, so that said paragraph will read as follows:—
(h) The sum of five hundred dollars for a husband or wife with whom the taxpayer lives, and the sum of two hundred and fifty dollars for each child under the age of eighteen, or parent entirely dependent on the taxpayer for support. The aforesaid deduction shall not be allowed to both husband and wife, but may be allowed to either as they shall mutually agree, or shall be prorated between them in proportion to the net income of each in excess of two thousand dollars.

Approved May 29, 1922.

Chap.490 AN ACT AUTHORIZING THE CITY OF LAWRENCE TO PENSION FANNIE S. LEE.

Be it enacted, etc., as follows:

1922, 412, § 1, amended.

SECTION 1. Section one of chapter four hundred and twelve of the acts of the current year is hereby amended by striking out the name "Fannie L. Lee" and inserting in place thereof the name:— Fannie S. Lee, — so as to read as fol-

lows: — *Section 1.* The city of Lawrence may pay to Fannie S. Lee, formerly a school teacher of said city, an annual pension not exceeding six hundred dollars.

City of
Lawrence
may pension
Fannie S. Lee.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1922.

AN ACT AUTHORIZING THE MARSHPEE MANUFACTURING COMPANY TO SELL AND CONVEY ITS LANDS IN THE TOWN OF MASHPEE.

Chap.491

Be it enacted, etc., as follows:

SECTION 1. The Marshpee Manufacturing Company may sell and convey its lands in the town of Mashpee in the same manner as other corporations may convey land to which they have a legal title under section eight of chapter one hundred and fifty-five of the General Laws.

Marshpee
Manufacturing
Company may
sell and convey
its lands in
town of
Mashpee.

SECTION 2. Section three of chapter forty-one of the acts of eighteen hundred and sixty-seven is hereby repealed.

1867, 41, § 3,
repealed.

SECTION 3. This act shall take effect upon its passage.

Approved June 2, 1922.

AN ACT RELATIVE TO THE TAXATION OF DOMESTIC AND FOREIGN BUSINESS CORPORATIONS.

Chap.492

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter sixty-three of the General Laws is hereby amended by striking out section thirty-three and inserting in place thereof the following: — *Section 33.* If a domestic business corporation which is a subsidiary of a foreign corporation or closely affiliated therewith by stock ownership is so managed that, because of payments made to such other corporation or its officers in excess of the fair value of the property or services given therefor, its books of account will not show its true earnings, it shall pay as a minimum tax under this chapter an amount equal to one tenth of one per cent of the said corporation's gross receipts for the taxable year from business assignable to this commonwealth as defined in clause six of section thirty-eight, unless it shall file, within ten days of a notice by the commissioner of his determination to assess the corporation under this section, a

G. L. 63, § 33,
amended.

Taxation of
domestic
business corpo-
rations.
Minimum tax
of subsidiaries,
etc.

statement of its net income showing to the satisfaction of the commissioner its true earnings for the taxable year, eliminating therefrom all payments to such other corporation or its officers in excess of the fair value of the property or services given therefor.

G. L. 63, new section after § 39.

Taxation of foreign business corporations. Minimum tax on subsidiaries, etc.

Time of taking effect.

SECTION 2. Said chapter sixty-three is hereby further amended by inserting after section thirty-nine the following new section: — *Section 39A.* The provisions of section thirty-three imposing a minimum tax upon domestic business corporations in certain cases shall, in like cases, apply to foreign corporations with respect to the carrying on or doing of business by them in the commonwealth.

SECTION 3. This act shall take effect as of April first, nineteen hundred and twenty-two.

Approved June 2, 1922.

Chap.493 AN ACT PERMITTING CERTAIN ALIENS TO TAKE EXAMINATIONS FOR ADMISSION TO THE BAR.

Emergency preamble.

Whereas, The deferred operation of this act would defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Certain aliens may take examinations for admission to the bar.

Every alien, who, on April fifteenth, nineteen hundred and twenty-one, was enrolled as a student in any law school or institution of this commonwealth authorized to grant the degree of bachelor of laws, and who had then made the primary declaration to become a citizen of the United States under the federal naturalization laws shall, upon otherwise complying with section thirty-seven of chapter two hundred and twenty-one of the General Laws, be permitted to file a petition in the supreme judicial or superior court to be examined for admission as an attorney-at-law, and to take the examinations held under said section thirty-seven; provided, that upon passing such examinations and otherwise meeting the requirements for admission as set forth in said section thirty-seven, the board of bar examiners shall not recommend his admission until satisfied that the applicant has become a citizen of the United States. No alien who claimed exemption during the world war on the ground of being an alien shall be entitled to the benefits of this act.

Proviso.

Certain aliens not entitled to benefits of act.

Approved June 2, 1922.

AN ACT RELATIVE TO FRATERNAL BENEFIT SOCIETIES *Chap. 494*
WHOSE MEMBERSHIP IS LIMITED TO MEMBERS OF TRADE
UNIONS AND LIKE ORGANIZATIONS.

Whereas, The deferred operation of this act would tend to deprive certain societies of the rights to which they were previously entitled by law and hence to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section forty-six of chapter one hundred and seventy-six of the General Laws, as amended by section one of chapter one hundred and fifty-five of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "member" in the twenty-sixth line the words: — , and a society either domestic or foreign which confines its membership to members of organizations defined in the second sentence of section twenty-nine of chapter one hundred and seventy-five, and which embraces therein only persons of the same occupation, — so as to read as follows: — *Section 46.* A domestic society which limits its membership as provided in section four, or which limits its membership to the members and ex-members of any social organization having a lodge system and secret form of work; or a secret order or fraternity which operates on the lodge system with a representative form of government and grants insurance benefits as incidental only to the work of the order or fraternity; or a purely charitable association or corporation existing on May twenty-third, nineteen hundred and one, any one of which pays a death or funeral benefit limited to not more than two hundred dollars, disability benefits not exceeding ten dollars a week, or any or all of such benefits or a domestic society which limits its membership as provided in said section four to the employees of a designated firm, business house or corporation, or any department thereof, and pays disability benefits not exceeding fifteen dollars a week, and which is not conducted as a business enterprise or for profit, and a subordinate lodge of a secret fraternity or order as defined in this section which is not conducted as a business enterprise or for profit, which pays death benefits to families or dependents of deceased members as fixed by its by-laws, but not more than two hundred dollars if the lodge membership is

G. L. 176, § 46,
etc., amended.

Certain
fraternal bene-
fit societies,
etc., may
transact busi-
ness without
conforming to
certain pro-
visions of law.

two hundred or less, and if over two hundred not in excess of the amount of an assessment of one dollar upon each member thereof in good standing at the time of the death of the member, and a society either domestic or foreign which confines its membership to members of organizations defined in the second sentence of section twenty-nine of chapter one hundred and seventy-five, and which embraces therein only persons of the same occupation, may transact business in the commonwealth without conforming to the provisions of this chapter, chapter one hundred and seventy-five, or chapter one hundred and seventy-seven, except this section and sections twenty-nine, thirty and thirty-six; provided that no proceeding shall be instituted under said section thirty-six because such society has a membership of less than four hundred. The seventh clause of section five of chapter fifty-nine shall apply to such a society.

Proviso.

Payments upon death of wife of member.

Proviso.

Any society transacting business under this section may, in the event of the death of the wife of a member, pay to said member a part of the amount payable at said member's death; provided that the amount so paid shall be deducted from the amount payable at the member's death, and that the total amount so paid, both at the death of the member and of the member's wife, shall not exceed the amount allowed by this section to be paid at the death of a member. Any such society may also furnish physicians and nurses for its members and their families.

Limited societies, how incorporated, etc.

Proviso.

Any such limited society may be incorporated, and limited fraternal benefit corporations may be formed, in the manner prescribed in and be subject to this section and to sections six, seven, nine, ten, twenty-nine, thirty, thirty-two and thirty-six and the seventh clause of section five of chapter fifty-nine; provided that no proceeding shall be instituted under said section thirty-six because such society has a membership of less than four hundred.

Penalty for failure to file copy of by-laws.

The recording officer of any organization subject to this or the preceding section failing to file a certified copy of its by-laws with the commissioner, whenever he so requires in writing, and also such organization shall be punished by a fine of not more than two hundred dollars.

Approved June 2, 1922.

AN ACT AUTHORIZING THE TOWN OF UPTON TO BORROW *Chap.495*
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of remodeling the Center Town of Upton may borrow money for school purposes.
school building in the town of Upton and for the purchase of
equipment and furnishings therefor, said town may borrow
such sums as may be necessary, not exceeding in the aggre-
gate fifteen thousand dollars, and may issue bonds or notes
therefor, which shall bear on their face the words, Upton
School Loan, Act of 1922. Each authorized issue shall consti-
tute a separate loan, and such loans shall be payable in not
more than ten years from their dates. Indebtedness incurred
under this act shall, except as herein provided, be subject to
chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1922.

AN ACT TO REPAY THE CITY OF LYNN FOR EXPENDITURES *Chap.496*
INCURRED BY IT IN THE RECONSTRUCTION OF THE BURNED
PORTION OF SAUGUS RIVER BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The state treasurer is hereby authorized and State treasurer may repay city of Lynn for expenditures incurred by it in reconstruction of burned portion of Saugus river bridge.
directed to pay to the city of Lynn out of the Metropolitan
Parks Maintenance Fund, Boulevards, such sum as the
metropolitan district commission shall certify that said city
expended in the reconstruction of such portion of the Saugus
river bridge, under the control of said commission, as was
destroyed by fire in nineteen hundred and twenty-one, in-
cluding interest at the rate of five and one quarter per cent
per annum on the bonds issued by said city to provide for
such expenditures by it, and including the amount paid by
said city for insurance of said bridge against fire for a period
of six months; provided, that the total expenditure by the Proviso.
state treasurer hereunder shall not exceed forty thousand
four hundred eighteen dollars and fifteen cents, and that pay-
ment thereof shall be made from the state treasurer's office
on September thirtieth, nineteen hundred and twenty-two.
To carry out the provisions of this act, the sum of forty Appropriation.
thousand four hundred eighteen dollars and fifteen cents is

hereby appropriated out of the Metropolitan Parks Maintenance Fund, Boulevards.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1922.

Chap.497 AN ACT RELATIVE TO THE AUTHORITY OF THE CITY OF SPRINGFIELD TO INCUR INDEBTEDNESS TO EXTEND AND IMPROVE CERTAIN STREETS.

Be it enacted, etc., as follows:

1922, 387, § 1,
amended.

City of
Springfield
may borrow
money to ex-
tend and im-
prove certain
streets.

New Bridge
Approaches
Loan, City of
Springfield,
Act of 1922.

SECTION 1. Chapter three hundred and eighty-seven of the acts of nineteen hundred and twenty-two is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* For the purposes of laying out and extending Broadway, widening Water street southerly from Court street, widening Vernon street easterly from Broadway, and widening Wight place between Broadway and Water street, the city of Springfield may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds therefor which shall bear on their face the words, New Bridge Approaches Loan, City of Springfield, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1922.

Chap.498 AN ACT AUTHORIZING THE TOWN OF MILLVILLE TO INCUR INDEBTEDNESS FOR SCHOOLHOUSE PURPOSES.

Be it enacted, etc., as follows:

Town of Mill-
ville may
borrow money
for schoolhouse
purposes.

Millville
School Loan,
Act of 1922.

SECTION 1. For the purpose of acquiring land for school buildings, and for constructing and originally equipping and furnishing the same, the town of Millville may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, thirty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Millville School Loan, Act of 1922. Each authorized issue shall constitute a separate loan. Indebtedness incurred

under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1922.

AN ACT ESTABLISHING THE WALDEN POND STATE RESERVATION IN THE COUNTY OF MIDDLESEX. Chap. 499

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to accord to the public at the earliest possible moment the benefits granted thereby, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Middlesex are hereby authorized and directed to take by gift certain lands and rights therein situated on the shores of Walden pond in the towns of Concord and Lincoln, and the land so acquired under the provisions of this act shall be known as the Walden Pond State Reservation. The title to such land shall be and remain in the commonwealth of Massachusetts, but shall be subject to such restrictions and conditions as may be imposed under the deeds of gift.

Middlesex
county com-
missioners may
take by gift
lands, etc., for
Walden Pond
State Reserva-
tion, etc.

SECTION 2. For the purposes of this act the commissioners shall be known as the Walden pond state reservation commission, and may annually expend for the care and maintenance of said reservation such sums as may be appropriated as a part of the county tax for the county of Middlesex.

Walden pond
state reserva-
tion commis-
sion.

SECTION 3. Said commission shall be vested with full power and authority to care for, protect and maintain the Walden pond state reservation in behalf of the commonwealth.

Commission to
maintain, etc.,
reservation.

SECTION 4. The state treasurer shall hold, subject to the order of the Walden pond state reservation commission, all sums that may be given or bequeathed to said commission for the purposes of the reservation, as the Walden Pond State Reservation Fund.

Walden Pond
State Reserva-
tion Fund.

SECTION 5. For the purpose of meeting the expenses for care, maintenance and improvement of said reservation, the county commissioners of Middlesex county are hereby au-

County
commissioners
may levy sum
as part of
county tax.

thorized to levy as a part of the county tax for the current year, in the manner provided by law, a sum not exceeding seven thousand dollars.

To be submitted to county commissioners. Proviso.

SECTION 6. This act shall take effect upon its acceptance by said county commissioners; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved June 2, 1922.

Chap. 500 AN ACT TO ESTABLISH A TOWN MANAGER FORM OF GOVERNMENT FOR THE TOWN OF NORTH ATTLEBOROUGH.

Be it enacted, etc., as follows:

Town of North Attleborough, date of annual town meeting established.

Selectmen, election, terms of office, etc.

SECTION 1. The annual meeting of the town of North Attleborough shall be held on the third Monday of March, beginning with the year nineteen hundred and twenty-three.

Vacancies, how filled.

SECTION 2. At the first annual meeting following the acceptance of this act the voters shall elect by ballot five selectmen, who shall hold office, two for the term of three years, two for the term of two years and one for the term of one year. At each annual meeting thereafter there shall be elected in place of those selectmen whose terms are about to expire an equal number of selectmen, each to serve for three years. The selectmen shall serve until their successors are elected and qualified. If for any reason whatsoever a vacancy or vacancies occur in the membership of the selectmen, the remaining members shall call a special town meeting to fill the vacancy or vacancies for the unexpired term or terms, except that if such vacancy or vacancies occur less than three months prior to the annual meeting and not less than three selectmen remain in office, the vacancy or vacancies shall remain unfilled until such annual meeting. A vacancy resulting from a recall election shall be filled as hereinafter provided. The selectmen shall serve without pay.

To serve without pay.

SELECTMEN TO BE LAWFUL SUCCESSORS OF CERTAIN OFFICERS, ETC.

Selectmen to be lawful successors of certain town officers, etc.

SECTION 3. Upon the election and qualification of said five selectmen as provided in section two, all the powers, rights, duties and liabilities conferred or imposed by law upon the water commissioners, sinking fund commissioners, park commissioners, sewer commissioners, municipal light board, board of fire engineers, board of health, auditors, tree warden, overseers of the poor and highway surveyors shall be transferred to and conferred and imposed upon the selectmen, and

the said offices shall be abolished. The aforesaid transfer of rights, powers, duties and liabilities shall not affect any liability incurred, contract made, fine, special assessment, rate, penalty, forfeiture or tax imposed before such transfer, nor any suit or other proceeding then pending; and said selectmen shall in all respects and for all purposes whatsoever be the lawful successors of said officers.

TOWN TREASURER AND COLLECTOR OF TAXES, ELECTION,
ETC.

SECTION 4. At the annual meeting, beginning with the year nineteen hundred and twenty-three and annually thereafter, there shall be elected by ballot a town official to be known as the town treasurer and collector of taxes, and upon his election and qualification the offices of town treasurer and collector of taxes shall cease and determine as separate and distinct offices. Said town treasurer and collector of taxes so elected shall enjoy all the powers and rights and be subject to all the duties and liabilities conferred or imposed by law upon town treasurers and town collectors of taxes, and each of them, whether now existing or hereafter created. Said town treasurer and collector of taxes shall receive such compensation for his services as the town may determine, and shall collect all money due the town.

Town treasurer
and collector
of taxes,
election, etc.

CONSTABLES.

SECTION 5. The selectmen shall annually, in April, beginning with the year nineteen hundred and twenty-three, appoint five constables, each for the term of one year from the following first day of May; and may, at any time, appoint as many additional constables as, in their opinion, may be necessary, who shall hold office during the pleasure of the selectmen.

Constables,
appointment,
etc.

ASSESSORS, APPOINTMENT, TERMS, ETC.

SECTION 6. The selectmen first elected as provided in section two shall forthwith appoint, subject to the confirmation of the commissioner of corporations and taxation, three suitable persons as assessors, who shall hold no elective office in said town of North Attleborough, and who, upon their appointment and confirmation, shall organize for the proper conduct of their duties. One of said persons shall be appointed for a term of one year, one for a term of two years,

Assessors,
appointment,
terms, etc.

Vacancies.

To be sworn.

and one for a term of three years; and annually thereafter there shall be appointed by the selectmen, and confirmed in like manner, an assessor for a term of three years, in place of the assessor whose term is about to expire. Said assessors shall serve until their successors are elected and qualified. If for any reason whatsoever a vacancy occurs in the membership of said assessors, the vacancy shall be filled forthwith by the selectmen in like manner, for the unexpired term. Upon the appointment and qualification of said assessors, the existing elective offices of assessors of the town shall cease and determine. The assessors so appointed shall enjoy all the powers and rights, and be subject to all the duties and liabilities conferred or imposed by law upon assessors of towns, whether now existing or hereafter created. Before entering upon the duties of their office, the assessors shall be sworn to the faithful and impartial performance thereof by the chairman of the selectmen, or by the town clerk and accountant, or by a justice of the peace.

TOWN CLERK AND ACCOUNTANT.

Town clerk
and account-
ant, appoint-
ment, term, etc.

Vacancy.
To be sworn.

SECTION 7. The selectmen elected as provided in section two shall appoint, as soon as practicable, a person suitably qualified to the office of town clerk and accountant. The existing elective office of town clerk shall be continued until the person appointed to said office of town clerk and accountant shall have qualified, at which time said elective office of town clerk shall cease and determine. Said town clerk and accountant shall enjoy all the powers and rights and be subject to all the duties and liabilities conferred or imposed by law upon town clerks and upon town accountants, whether now existing or hereafter created, and shall hold office for three years from the date of his appointment and until his successor is chosen and qualified, except as herein otherwise provided. In case of a vacancy in said office the selectmen forthwith shall fill said vacancy for the unexpired term. Said town clerk and accountant shall be sworn to the faithful performance of his duties by the chairman of the selectmen or by a justice of the peace.

BOARD OF RELIEF.

Board of relief,
appointment,
powers,
duties, etc.

SECTION 8. The selectmen elected as provided in section two shall annually appoint an unpaid board of three persons, who shall be residents of and shall hold no elective office in

said town of North Attleborough, to be known as the board of relief. Said board, subject to the direction and supervision of the selectmen, shall perform the duties and exercise the powers of overseers of the poor of said town.

GENERAL MANAGER, APPOINTMENT, ETC.

SECTION 9. The selectmen elected as provided in section two shall appoint, as soon as practicable, a general manager, who shall be the administrative head of all departments of the town government, the conduct of which is by the general laws and by this act placed upon the selectmen of said town, except as provided otherwise in this act. Said general manager shall be subject to the direction and supervision and shall hold office at the will of the selectmen, and shall be a person specially fitted by education, training or experience to perform the duties of said office, and shall be appointed without regard to his political belief, and he may or may not be a resident of the town of North Attleborough when appointed. He shall be responsible for the efficient administration of all departments within the scope of his duties. Before entering upon the duties of his office, the general manager shall be sworn to the faithful and impartial performance thereof by the chairman of the selectmen, or by the town clerk and accountant, or by a justice of the peace. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such surety or sureties as may be fixed or approved by the selectmen. During the time that the manager holds his appointment he shall hold no other elective or appointive office, nor shall he be engaged in any other business or occupation.

General manager, appointment, etc.

To be sworn.

To execute bond.

To hold no other office, etc.

POWERS AND DUTIES OF THE MANAGER.

SECTION 10. The powers and duties of the general manager shall include the following:

Powers and duties of general manager.

(a) To organize, continue or discontinue such divisions or departments from time to time as may be determined by vote of the selectmen, or in the absence of such vote, as may be determined by said general manager to be required for the efficient conduct of his office.

(b) To appoint, upon merit and fitness alone, and, except as herein otherwise provided, to remove all superintendents or chiefs of departments and all subordinate officers and employees in such departments, and to fix all salaries and wages

Powers and
duties of
general
manager.

of all subordinates and employees, subject to law. The superintendents or chiefs of departments shall not be removed by the general manager, except on five days' notice, in writing, which shall state the cause of such removal.

(c) To exercise control over all such departments or divisions so created, or that may hereafter be created, which shall be made subject to the supervision of said general manager.

(d) To attend all regular meetings of the selectmen, and to recommend to the selectmen for adoption such measures requiring action by them or by the town, as he may deem necessary or expedient.

(e) To keep full and complete records of the doings of his office, and to render as often as may be required by the selectmen a full report of all operations during the period reported on; and annually, or oftener, if required by the selectmen, to make a synopsis of all reports for publication.

(f) To keep the selectmen fully advised as to the needs of the town within the scope of his duties, and to furnish the selectmen, on or before the thirty-first day of December of each year, a careful, detailed estimate, in writing, of the appropriations required during the next ensuing fiscal year for the proper conduct of all departments of the town under his control.

(g) To have control and supervision of the department of police of the town, subject, however, to the direction of the selectmen; and the appointment or removal of the chief or head of said police department shall not be subject to the civil service laws of the commonwealth, but shall be made in accordance with the provisions of this act.

(h) To perform such other duties, consistent with his office, as may be required of him by the by-laws of the town or by vote of the selectmen.

EXAMINATION OF DEPARTMENTS, ETC.

Examination
of depart-
ments, etc.

SECTION 11. The general manager may, without notice, cause the affairs of any division or department under his control or the conduct of any officer or employee thereof to be examined. The general manager or any person or persons appointed by him to examine the affairs of any such department or the conduct of any such officer or employee shall have the same power to compel the attendance of witnesses and the production of books and papers and other evidence, and to cause the witnesses to be sworn and to be punished

for contempt as is conferred by law upon the selectmen. The general manager shall have access to all town books and papers for information necessary for the proper performance of his duties.

GENERAL MANAGER MAY BE REMOVED FOR CAUSE.

SECTION 12. The selectmen, by a majority vote, may remove the general manager by filing a written statement with the town clerk and accountant setting forth in detail the specific reasons for his removal, a copy of which statement shall be delivered to said general manager. Such removal shall not take effect, however, until the expiration of five days from the filing of said statement with the town clerk and accountant; but if so recited in said statement the general manager shall be suspended forthwith from his said office. If the general manager so requests within said five-day period, a hearing shall be given him by the selectmen, and in such event the removal of said general manager shall not take effect until a written decision, following said hearing, shall have been filed with the town clerk and accountant. Such decision by a majority of the selectmen shall be final.

General manager may be removed for cause.

Hearing.

VACANCY.

SECTION 13. Any vacancy in the office of general manager shall be filled as soon as possible by the selectmen. Pending the appointment of a general manager or the filling of any vacancy, the selectmen may appoint a person to perform temporarily the duties of said office.

Vacancy in office of general manager.

POWERS AND DUTIES RELATIVE TO THE RICHARDS MEMORIAL LIBRARY.

SECTION 14. The powers, duties and liabilities now conferred and imposed upon the Trustees of the Richards Memorial Library with respect to the repair of said library and with respect to the purchase of supplies therefor, except books, are hereby withdrawn from said trustees and conferred upon and imposed upon the selectmen, and the exercise of said powers and the performance of said duties shall be delegated by the selectmen to the general manager, as provided in this act. It shall be the duty of said trustees to notify the selectmen when repairs and supplies are required and said repairs shall be made and supplies furnished upon proper requisitions therefor.

Powers and duties relative to Richards Memorial Library.

POWERS AND DUTIES RELATIVE TO SCHOOL BUILDINGS, ETC.

Powers and
duties relative
to school
buildings, etc.

SECTION 15. The powers, duties and liabilities now conferred and imposed upon the school committee with respect to the repair of all school buildings and the purchase of supplies therefor, except books, are hereby withdrawn from said school committee and conferred and imposed upon the selectmen, and the exercise of said powers and the performance of said duties shall be delegated by the selectmen to the general manager, as provided in this act. It shall be the duty of said school committee to notify the selectmen when repairs and supplies are required, and such repairs shall be made and supplies furnished upon proper requisitions therefor.

SALARIES.

Salaries.

SECTION 16. The general manager, the assessors, and the town clerk and accountant shall each receive such salary as may be fixed by the selectmen, unless otherwise specifically voted by the town.

FINANCE COMMISSION, ELECTION, TERMS, ETC.

Finance com-
mission,
election, terms,
etc.

SECTION 17. At the first annual meeting held after the adoption of this act, the voters of the town shall elect by ballot from among their number three persons who shall serve and be known as the finance commission, who shall hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the date of the said annual meeting. Thereafter, one member of such commission shall be elected annually at the annual meeting to serve three years therefrom. The members of the finance commission shall serve until their successors are elected and qualified and shall not receive any salary. During the term for which they are chosen they shall be ineligible, either by appointment or by election, to any town office other than that for which they have been chosen, nor shall they, during any such term, hold any such other office. They shall be sworn to a faithful performance of their duties by the moderator, the town clerk and accountant, or by a justice of the peace.

To be sworn.

VACANCY.

Vacancy in
finance com-
mission.

SECTION 18. If for any reason whatsoever a vacancy occurs in the finance commission, it shall be the duty of the remaining member or members forthwith to give notice

thereof to the selectmen. The selectmen shall, within five days thereafter, call a special town election to fill the same for the unexpired term or terms respectively. Any vacancy or vacancies occurring in the finance commission less than three months prior to any town election shall remain unfilled until the date of such election.

TO MAKE ESTIMATE OF EXPENDITURES.

SECTION 19. The finance commission shall, on or before the fifteenth day of February of each year, submit to the selectmen a careful detailed estimate, in writing, of the probable expenditures of the town government for the next ensuing fiscal year, stating the amount required to meet the interest and maturing bonds and notes or other outstanding indebtedness of the town, and showing specifically the amount necessary to be provided for each fund and department. The finance commission shall also submit at the same time an estimate, in writing, of the amount of income from all sources of revenue, exclusive of taxes upon property, and of the probable amount required to be levied and raised by taxation to defray all expenses and liabilities of the town. For the purpose of enabling the finance commission to make up said annual estimate of expenditures, all boards, officers and committees of the town shall, upon written request of the finance commission, furnish all information in their possession, and shall submit to said finance commission, in writing, a detailed estimate of appropriations required for the efficient and proper conduct of their respective departments during the next ensuing fiscal year.

Finance commission to make estimate of expenditures, income, etc.

Information by boards, officers, etc.

The last day for the filing of petitions with the selectmen for the insertions of articles in the warrant for the annual town meeting shall be January thirty-first.

Last day for filing petitions for inserting warrant articles.

TO MAKE ANNUAL REPORT, ETC.

SECTION 20. All articles in the warrants for town meetings calling for the appropriation of money shall be considered by the finance commission, and the commission shall report thereon in writing to the town at said meetings, with its recommendations. The finance commission shall make an annual report, which shall be published as a part of the annual town report, covering the matters considered by it during the fiscal year preceeding that in which such report is published, and making such recommendations regarding the finances of

Finance commission to consider appropriation articles in warrants, etc.

To make annual report, etc.

Other duties.

the town and action thereon as seem to said commission to be necessary and appropriate. All the duties imposed by the by-laws of the town upon the present finance committee, so-called, and not inconsistent with the duties required by this act, shall be performed by said finance commission, and the provisions of the by-laws relating to the appointment of said finance committee shall be annulled upon the election and qualification of the finance commission.

DUTIES RELATIVE TO CERTAIN PAYROLLS, BILLS, ETC.

Duties relative to certain pay-rolls, bills, etc.

SECTION 21. Whenever any payroll, bill or other claim against the town is presented to the selectmen, town clerk and accountant, town treasurer and collector of taxes, Trustees of the Richards Memorial Library, or school committee, he or they shall, if the same seems to him or them to be of doubtful validity, excessive in amount, or otherwise contrary to the interests of the town, refer it to the finance commission, which shall immediately investigate the facts and report thereon, and pending said report payment shall be withheld.

COMMISSION MAY EMPLOY EXPERTS, ETC.

Commission may employ experts, etc.

SECTION 22. The said commission is authorized to employ such experts, counsel and other assistants, and to incur such other expenses as it may deem necessary, and the same shall be paid by said town upon requisition by the commission not exceeding in the aggregate in any year the sum of two hundred and fifty dollars, or such additional sum as may be appropriated for the purpose by the town. The commission shall have the same right to incur expenses in anticipation of its appropriation as if it were a regular department of the town.

HOLDER OF AN ELECTIVE OFFICE MAY BE RECALLED, ETC.

Recall of holder of an elective office.

SECTION 23. Any holder of an elective office may be recalled and removed therefrom by the qualified voters of the town as herein provided.

RECALL PETITION, PREPARATION, FILING, ETC.

Recall petition, preparation, filing, etc.

SECTION 24. Any qualified voter of the town may make and file with the town clerk and accountant an affidavit containing the name of the officer sought to be removed, and a statement of the grounds of removal. The town clerk and

accountant shall thereupon deliver to the voter making such affidavit a sufficient number of copies of petition blanks for such recall and removal, printed forms of which he shall keep on hand. Such blanks shall be issued by the town clerk and accountant with his signature and official seal thereto attached; they shall be dated and addressed to the selectmen, shall contain the name of the person to whom issued, the number of blanks so issued, the name of the person sought to be removed, the office from which such removal is sought, the grounds of removal as stated in said affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept for the purpose in the office of the town clerk and accountant. Said recall petition shall be returned and filed with the town clerk and accountant within twenty days after the filing of the affidavit. Said petition, before being returned and filed, shall be signed by two hundred qualified voters, and to every such signature shall be added the place of residence of the signer, giving the street and number. Such signatures need not all be on one paper. One of the signers of every such paper shall make an affidavit thereto that the statements therein contained are true, and that each signature appended to the paper is the genuine signature of the person whose name it purports to be. All such papers for the recall of any one officer shall be filed as one instrument, with the endorsements thereon of the names and addresses of three persons designated as filing the same.

EXAMINATION AND CERTIFICATION, ETC.

SECTION 25. Within five days after the filing of said petition the town clerk and accountant shall ascertain by examination thereof and of the registration books and election returns whether the petition is signed by the requisite number of qualified voters, and shall attach thereto his certificate showing the result of such examination. He shall, if necessary, be allowed extra assistance by the selectmen.

Examination and certification of recall petition.

If his certificate shows the petition to be insufficient, he shall, within said five days, so notify, in writing, one or more of the persons designated on the petition as filing the same, and the petition may be amended by the addition of signatures at any time within five days after the giving of said notice by the town clerk and accountant. The town clerk and accountant shall, within three days after such amend-

Insufficient petition, amendment, etc.

ment, make like examination of the amended petition, and attach thereto his certificate of the result. If then insufficient or if no amendment was made, he shall return the petition to one of the persons designated thereon as filing it, without prejudice, however, to the filing of a new petition for the same purpose.

REMOVAL ELECTION, ETC.

Removal
election, etc.

SECTION 26. If the petition or amended petition shall be found and certified by the town clerk and accountant to be sufficient he shall submit the same with his certificate to the selectmen without delay, and the selectmen shall forthwith give written notice to said officer of the receipt of said certificate and shall, if the officer sought to be removed does not resign within five days thereafter, thereupon order an election to be held on a Tuesday fixed by them not less than twenty-five nor more than thirty-five days after the date of the town clerk and accountant's certificate that a sufficient petition is filed; provided, however, that if any other town election is to occur within sixty days after the date of said certificate, the selectmen may, in their discretion, postpone the holding of the removal election to the date of such other election. If a vacancy occurs in said office after a removal election has so been ordered, the election shall nevertheless proceed as provided in this section.

Proviso.

NOMINATION OF CANDIDATES.

Nomination of
candidates.

SECTION 27. Any officer sought to be removed may be a candidate to succeed himself, and, unless he otherwise requests, in writing, the town clerk and accountant shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of the warrant for such removal election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act.

INCUMBENT TO HOLD OFFICE UNTIL REMOVAL ELECTION, ETC.

Incumbent to
hold office
until removal
election, etc.

SECTION 28. The incumbent shall continue to perform the duties of his office until the removal election. If then re-elected, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in the following section. If not re-elected in the removal

election, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

RECALL PETITION NOT TO BE FILED WITHIN ONE YEAR
AFTER ELECTION.

SECTION 29. No recall petition shall be filed against any officer within one year after his election, nor, in the case of an officer re-elected in a removal election, until one year after that election.

Recall petition not to be filed within one year after election.

PERSON REMOVED NOT TO BE APPOINTED TO ANY TOWN
OFFICE WITHIN TWO YEARS.

SECTION 30. No person who has been removed from an office by recall, or who has resigned from some office while recall proceedings were pending against him, shall be appointed to any town office within two years after such removal by recall or such resignation.

Person removed not to be appointed to any town office within two years.

QUESTION OF RECALLING MORE THAN ONE OFFICER.

SECTION 31. The question of recalling any number of officers may be submitted at the same election, but as to each officer whose recall is sought, there shall be a separate ballot.

Question of recalling more than one officer.

FORM OF BALLOT.

SECTION 32. Ballots used in a recall election shall submit the following propositions in the order indicated:

Form of ballot used in recall elections.

For the recall of (name of officer).

Against the recall of (name of officer).

Immediately at the right of each proposition there shall be a square in which the voter, by making a cross mark (X) may vote for either of the said propositions. Under the proposition shall appear the word "Candidates" and the direction, "Vote for One," and beneath this the names of candidates nominated as hereinbefore provided. The ballots used in recall elections shall be substantially in the following form:

RECALL ELECTION.

(MONTH AND DAY OF MONTH AND YEAR).

For the recall of (name in full).....
Against the recall of (name in full).....

CANDIDATES.

VOTE FOR ONE.

(Name of candidate).....

Effect of
resignation of
officer named
in recall
petition.

SECTION 33. If an officer in regard to whom a sufficient recall petition is filed resigns within five days after notice thereof the election shall be held as herein provided, except that the title of the ballot shall be "Town Election," that the propositions in regard to the recall shall be omitted from the ballot, and that above the names of the candidates there shall appear on the ballot the words, "Candidates to succeed (name of officer) resigned....."

TERM DEFINED.

Term
"qualified
voter", defined.

SECTION 34. The term "qualified voter", wherever it occurs in this act, means a voter qualified by law to vote for candidates for the office to be filled or from which a removal is sought.

CERTAIN TOWN OFFICERS NOT TO MAKE CONTRACTS WITH THE TOWN, ETC.

Certain town
officers not to
make contracts
with the town,
etc.

SECTION 35. It shall be unlawful for any selectman, the general manager, any member of the school committee, any member of the finance commission, any Trustee of the Richards Memorial Library, or any other elective or appointive official except as otherwise provided by law or in this act, directly or indirectly to make a contract with the town, or to receive any commission, discount, bonus, gift, contribution or reward from, or any share in the profits of, any person or corporation making or performing such a contract, unless such member, officer or employee immediately upon learning of the existence of such contract, or that such contract is proposed, shall notify in writing the finance commission of such contract and of the nature of his interest in such contract and shall abstain from doing any official act on behalf of the town in reference thereto. In case such interest exists on the

part of an officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer or person of the town, duly authorized thereto by vote of the town. A violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the town. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Violation to
render con-
tracts voidable,
etc.
Penalty.

ACT TO BE SUBMITTED TO THE VOTERS AT A SPECIAL
ELECTION, ETC.

SECTION 36. This act shall be submitted to the qualified voters of the town of North Attleborough for acceptance at a special election which shall be called by the selectmen, and shall be held on the first Tuesday of October in the year nineteen hundred and twenty-two. The town clerk shall, not less than two weeks before said election, transmit, by mail or otherwise, to every registered voter in said town, a copy of this act. The vote shall be taken by ballot in answer to the following question to be printed on the official ballot: "Shall an act passed by the General Court in the year nineteen hundred and twenty-two, entitled, 'An Act to establish a town manager form of government for the town of North Attleborough', be accepted?" If this act shall be so accepted by a majority of the qualified voters voting thereon, it shall take effect for the next annual meeting, which shall be held on the third Monday of March, nineteen hundred and twenty-three, and for all things that pertain to said election and shall go into full force and effect upon the election of the selectmen and other town officials on the said third Monday of March as herein provided; except that the appointees of the officials and boards whose offices shall be abolished and consolidated, then in the service of the town shall continue to draw compensation at the same rate and exercise like powers, authority and jurisdiction as theretofore, until other provision is made.

Act to be sub-
mitted to
voters at a
special
election, etc.

DUTIES OF CERTAIN TOWN OFFICIALS RELATIVE TO ELEC-
TION, ETC.

SECTION 37. It shall be the duty of the selectmen, the town clerk, and any other town official upon whom by reason of his office a duty devolves by the provisions of this act, and

Duties of
certain town
officials
relative to
election, etc.

who is in office when this act is accepted as herein provided, to comply with all the requirements of this act relating to elections, to the end that all things may be done necessary for the nomination and election of the officers first to be elected under this act.

BY-LAWS, RULES, ETC.

By-laws, rules,
etc.

SECTION 38. All laws, by-laws, rules and regulations in force in the town of North Attleborough when this act takes effect, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, by-law, or vote; all other laws, by-laws, rules and regulations, so far as they refer to the town of North Attleborough, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

Taking effect
of act for
submission to
voters.

SECTION 39. So much of this act as authorizes the submission of the question of its acceptance to the qualified voters of said town shall take effect upon its passage.

REVOCATION OF ACCEPTANCE.

Revocation of
acceptance,
etc.

SECTION 40. At any time after the expiration of four years and within six years from the date on which this act is accepted, and not less than ninety days before the date of any annual meeting, a petition signed by not less than fifteen per cent of the registered voters of the town may be filed with the selectmen requesting that the question of revoking the acceptance of this act be submitted to the voters. Thereupon the selectmen shall call a town meeting to be held not later than forty-five days after the filing of the petition, but not between the first day of June and the first Tuesday of September, both dates inclusive. At such meeting, the vote shall be taken in answer to the following question which shall be printed on the official ballot: "Shall the acceptance of the Town of North Attleborough of an Act passed by the General Court in the year nineteen hundred and twenty-two, entitled: 'An Act to establish a town manager form of government for the town of North Attleborough', be revoked?" If such revocation is favored by a majority of the voters voting thereon by ballot, the acceptance of this act shall be revoked from and after the date of the annual town meeting next following such vote. The said revocation shall not

When act
becomes void,
etc.

affect any contract then existing or any action at law or suit in equity or other proceeding then pending. If the acceptance shall be revoked as aforesaid, this act shall become null and void, and thereafter all general laws relative to town government and town officers shall apply to the town of North Attleborough and any special laws relative to said town which are repealed by this act shall be revived by such revocation. By-laws in force when the said revocation takes effect, so far as they are consistent with general laws respecting town government and town officers and with said special laws, shall not be affected thereby.

Approved June 2, 1922.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A HIGHWAY
IN THE CITY OF REVERE AFFORDING AN APPROACH TO
THE METROPOLITAN PARKS DISTRICT. Chap. 501

Be it enacted, etc., as follows:

SECTION 1. The division of highways of the department of public works is hereby authorized and directed to lay out and construct a highway in the city of Revere beginning at the Malden line on or near the present way leading from Revere to that part of the city of Malden known as Linden and extending to Broadway in said city of Revere. The route of such layout and construction may be along existing public or private ways or over private land; provided that no work shall be done on the construction of said highway until satisfactory releases have been obtained from the owners for all land to be used for said highway without expense and that the cities of Malden and Revere shall have made the necessary appropriations and undertaken the construction of connections satisfactory to said division, said connection in Malden to run from the Revere line through Linden square, Beach and Salem streets and over private land to the Newburyport Turnpike, and in Revere from Broadway to North Shore road.

Division of
highways may
construct a
highway in
Revere, etc.

Proviso.

Cities of
Malden and
Revere to
construct con-
nections, etc.

SECTION 2. For the purposes of this act, the division may expend a sum not exceeding one hundred thousand dollars. Of the total amount expended, one half shall be assessed upon the metropolitan parks district and the balance shall be paid by the commonwealth from item number six hundred and thirty-one of the general appropriation act of the current year.

Expenditures,
assessment,
etc.

Approved June 2, 1922.

Chap. 502 AN ACT PROVIDING FOR THE CONSTRUCTION OF A SEA WALL, PARK AND ROADWAY ALONG A PORTION OF WESTERN AVENUE IN THE CITY OF GLOUCESTER.

Be it enacted, etc., as follows:

Division of waterways and public lands, Essex county and city of Gloucester may construct sea wall, park and roadway.

SECTION 1. The division of waterways and public lands of the department of public works, the county of Essex, and the city of Gloucester, are hereby authorized to undertake jointly the construction of a sea wall in Gloucester harbor, and a park and roadway along that portion of Western avenue in the city of Gloucester from Blynman bridge easterly to a point near the Tavern, at an expenditure for the entire project not exceeding the sum of one hundred and seventy thousand dollars.

Expenditures for sea wall.

SECTION 2. For the purpose of constructing the sea wall said division is hereby authorized to expend, out of item six hundred and forty-six of the general appropriation act of the current year, a sum not exceeding twenty-five thousand dollars, no work to be undertaken upon said wall until receipt from said city of such further sums as may be necessary for its completion, but no expenditure for the sea wall shall be undertaken at a cost in excess of sixty thousand dollars.

Contribution by city of Gloucester, etc.

City of Gloucester may improve area between sea wall and Western avenue, etc.

SECTION 3. Upon the completion of the sea wall the city of Gloucester is hereby authorized to expend a sum not exceeding fifty thousand dollars for filling the area between said sea wall and the present location of Western avenue, changing the grade and improving said area for highway and park purposes in accordance with lines and grades that may be established, in accordance with chapter eighty-two of the General Laws.

Essex county commissioners may alter, relocate, etc., Western avenue in Gloucester.

SECTION 4. Upon the completion of the said filling, the county commissioners of the county of Essex are hereby authorized, in accordance with said chapter eighty-two, to alter or relocate and widen said portion of Western avenue and to rebuild and resurface the same, including the sidewalks, with such material as they may deem best suited to the purpose.

Essex county may borrow money to meet cost and expense.

SECTION 5. The cost and expense incurred under section four shall be paid in the first instance by the county of Essex, and the treasurer of said county, with the approval of the county commissioners, is hereby authorized to borrow on the credit of the county from time to time such sums of money as may be required therefor, including interest, and to issue the notes of the county therefor bearing interest or discounted

as may be deemed advisable, and the county treasurer may sell said notes at public or private sale upon such terms and conditions as the county commissioners may deem proper. The notes may be renewed from time to time for such periods as may be necessary. All money so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out the same as ordered by the county commissioners, and shall keep a separate, accurate account of all moneys borrowed and expended including interest or discount, as the case may be. The total amount of money that may be expended under section four shall not exceed sixty thousand dollars, and one half of said expenditure shall be borne by the county of Essex and one half by the city of Gloucester.

Limit and apportionment of expense.

SECTION 6. Upon the completion of the said highway, the county commissioners shall file in the office of the clerk of courts for the said county a detailed statement, certified under their hands, of the actual cost of said highway, including interest or discount, as the case may be, on moneys borrowed under the authority of section five, and shall forthwith assess upon the county of Essex one half of said cost and on the city of Gloucester the other half of said cost. The city of Gloucester shall pay its proportion of said cost into the treasury of the county of Essex in such manner as the county commissioners may direct, and if said city shall neglect or refuse to do so the commissioners shall, after notice to said city, issue a warrant against it for its proportion of said cost with interest, and the cost of said notice and warrant, and the same shall be collected and paid into the treasury of said county and applied in payment of the cost aforesaid. For the purpose of paying its share of said cost the county commissioners may issue bonds or notes of the county to an amount not exceeding thirty thousand dollars. Such bonds or notes shall bear on their face the words, County of Essex, Western Avenue, Gloucester, Loan, Act of 1922, and shall be payable by such annual payments beginning not more than one year after the respective dates thereof as will extinguish the loan within ten years from its date; and the amount of the annual payment of principal in any year shall not be less than the amount of the principal payable in any subsequent year. The said bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and

Statement of cost to be filed with clerk of courts, etc.

Assessments upon Essex county and city of Gloucester.

County of Essex, Western Avenue, Gloucester, Loan, Act of 1922.

conditions as the county commissioners may deem proper, but not for less than their par value, and the proceeds shall be used only for the purposes specified herein and for the payment of loans issued under section five.

City of Gloucester may borrow money to meet cost of filling and improving area near sea wall, etc.

SECTION 7. For the purpose of paying the cost of filling authorized by section three and its share of the cost of the sea wall authorized by section two and of the roadway authorized by section four, the city of Gloucester may borrow from time to time, outside the statutory debt limit, such sums as may be necessary therefor, not exceeding in the aggregate the sum of one hundred and fifteen thousand dollars, and may issue its bonds or notes therefor. Such bonds or notes shall be payable in not more than ten years from their respective dates, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws. The proceeds of loans issued by the city shall be paid to the county treasurer to be applied to the loans authorized under section five.

Awarding of contracts restricted.

SECTION 8. No contracts shall be awarded under this act unless bids or estimates shall first have been obtained from which it appears that the entire project can be completed for not exceeding the expenditures herein authorized.

To be submitted to Essex county commissioners and Gloucester city council.
Proviso.

SECTION 9. This act shall take effect upon its acceptance by vote of the county commissioners of the county of Essex and by vote of the city council of the city of Gloucester, subject to the provisions of its charter, and then only provided that such acceptances occur within sixty days of the filing by the department of public works of complete plans and specifications of the sea wall provided for in this act with the said county commissioners and the said city council.

Approved June 2, 1922.

Chap. 503 AN ACT AUTHORIZING THE CITY OF CHICOPEE TO PENSION JOHN J. BUCKLEY.

Be it enacted, etc., as follows:

City of Chicopee may pension John J. Buckley.

SECTION 1. The city of Chicopee may retire John J. Buckley, at present in its employ as engineer at the Cooley Brook pumping station, on an annual pension equal to one half his present annual compensation.

To be submitted to city council, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Proviso.

Approved June 2, 1922.

AN ACT PROVIDING FOR THE WIDENING BY THE COUNTY OF
MIDDLESEX OF BRIDGE STREET IN THE CITY OF CAM-
BRIDGE. Chap. 504

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized within two years after the passage of this act to lay out, alter and widen Bridge street in the city of Cambridge to a width of seventy-five feet, from the Somerville boundary line to Third street in the city of Cambridge and to improve and construct and make specific repairs in said Bridge street for the entire width of seventy-five feet as so widened all in the manner and with all the powers set forth in chapter eighty-two of the General Laws, notwithstanding any special act or acts inconsistent herewith.

Middlesex
county com-
missioners
may widen
Bridge street
in city of
Cambridge.

SECTION 2. The cost and expenses incurred under this act shall not exceed the sum of seventy-five thousand dollars, and shall be paid in the first instance by the county of Middlesex. Said county commissioners may borrow by temporary loan or loans on the credit of the county such sums, not exceeding the said amount, as may from time to time be required for the cost and expenses aforesaid, and may renew the same for such periods as may be necessary. The amounts so borrowed shall be paid into the treasury of the county and the treasurer shall pay out the same as ordered by the county commissioners, and shall keep a separate and accurate account of all moneys borrowed and expended under the provisions of this act, including interest. Upon the completion of the work herein provided for, the said commissioners shall file in the office of the clerk of the courts of said county a detailed statement, certified under their hands, of the actual cost thereof, including land damages, and shall give notice to the city of Cambridge and assess upon the said city the sum of sixteen thousand three hundred dollars, and the said city shall pay into the treasury of the county the amount so assessed within sixty days after it is notified by the county that the foregoing provisions of this act have been complied with; and if the said city refuses or neglects to pay the amount assessed, the commissioners shall, after due notice, issue a warrant against the said city for its proportion, with interest and the cost of the notice and warrant, and the same shall be collected and paid into the treasury of the

County
commissioners
may borrow
money by
temporary
loans, etc.

Statement of
cost to be
filed, etc.

Notice to and
assessment
upon city of
Cambridge.

county to be applied in payment of the costs and expenses aforesaid.

Cambridge
may borrow
to pay its
proportion
of cost.

Cambridge
Bridge Street
Loan, Act of
1922.

Middlesex
county may
borrow to pay
its portion
of costs and
expenses.

County of
Middlesex
Bridge Street
Loan, Act of
1922.

To be sub-
mitted to
Middlesex
county com-
missioners.
Proviso.

SECTION 3. For the purpose of paying its proportion of the said total cost, the city of Cambridge may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, sixteen thousand three hundred dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Cambridge Bridge Street Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable within ten years from their dates. Indebtedness incurred by said city under this act shall be in excess of the statutory limit, but shall, except as otherwise provided herein, be subject to chapter forty-four of the General Laws. For the purpose of paying that portion of the total costs and expenses which is to be borne by the county of Middlesex, the county treasurer, with the approval of the county commissioners may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, fifty-eight thousand seven hundred dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Middlesex Bridge Street Loan, Act of 1922, and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date, and the amount of such annual payment in any year shall not be less than amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The said county and city may sell the said securities at public or private sale upon such terms and conditions as they may severally deem proper but not for less than their par value, and the proceeds of loans issued by the county shall be used only to pay the temporary loans issued in accordance with section two, or for the said altering and widening, and the proceeds of securities issued by said city shall be paid into the county treasury to be applied to the payment of securities issued by the county in accordance with section two.

SECTION 4. This act shall take effect upon its acceptance by the county commissioners of the county of Middlesex; provided, that such acceptance occurs on or before December thirty-first in the current year.

Approved June 2, 1922.

AN ACT TO ESTABLISH THE BELCHERTOWN WATER DISTRICT *Chap. 505*
IN THE TOWN OF BELCHERTOWN.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Belchertown residing within the territory bounded as follows: — Beginning at the easterly location line of the Boston and Maine Railroad, at a point where said line intersects the southerly line of the land of the estate of P. and E. Butler; thence running easterly and northerly along land of said estate and land of Willis Ballou to the Bay road; thence running easterly on said road to Amherst road; thence running northerly on said road to Allen street; thence running easterly on said street to Pelham road; thence running southerly on said road to the northwesterly corner of land of Mrs. Gildermeister; thence running easterly on the northerly line of said land of Gildermeister to Jabish brook; thence running southerly on said brook to Enfield road; thence running westerly on said road to the intersection of a new road to C. Jenson's mill; thence running southeasterly to Ware road; thence running southerly on said road to the southeast corner of land of J. V. Cook; thence running westerly to the southwest corner of said Cook's land; thence running westerly to the southwest corner of land of E. L. Schmidt; thence running westerly to the Boston and Maine railroad; thence running northerly on said railroad to the point of beginning, — are hereby made a body corporate under the name of the Belchertown Water District, for the purpose of supplying said district with water for domestic uses, extinguishment of fires and other purposes, subject to all general laws now or hereafter in force, relating to such districts, except as otherwise provided herein.

SECTION 2. For the purposes aforesaid, said district, acting by and through its board of water commissioners hereinafter provided for, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the water of any pond or stream or of any ground sources of supply by means of driven, artesian or other wells within the limits of the town of Belchertown; provided, that the amount of water which may be taken shall from time to time be determined by vote of the district. Said district, acting by and through said water commissioners, may also so take, or acquire by purchase or

Belchertown
Water District
established.

May take
certain waters,
etc.

Proviso.

May take
lands, rights
of way, etc.

Proviso.

May construct
dams, reser-
voirs, etc.

Requirements
to enter upon
railroad loca-
tion.

May borrow
money, etc.

Belchertown
Water District
Loan, Act of
1922.

otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply and no lands necessary for preserving the quality of the water shall be taken or used without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of the said department. Said district may construct on the lands acquired and held under this act proper dams, reservoirs, stand-pipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along such ways in the town of Belchertown, in such manner as not unnecessarily to obstruct the same. For the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; and all things done upon any such way shall be subject to the direction of the selectmen of the town. Said district shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities.

SECTION 3. For the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, the said district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Belchertown Water District Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness

incurred under this act shall be subject to chapter forty-four of the General Laws.

SECTION 4. The said district shall, at the time of authorizing the said loan or loans provide for the payment thereof in accordance with section three of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating the water works and interest as it accrues on bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed upon the said district by the assessors of the town annually thereafter until the debt incurred by said loan or loans is extinguished.

Payment of loan.

SECTION 5. Subject to the approval of the governor and council, the said district may, pending the establishment of a water supply under the provisions of this act, obtain from the commonwealth, through an arrangement with the department of mental diseases, water from the works of any public institution under the control of said department within the limits of said town. Upon approval by the governor and council of any such plan of supplying water to said district, the commissioner of mental diseases may, in his discretion, arrange for and deliver into the pipes of said district, from such places and on such conditions and terms as the commissioner and the water commissioners of said district hereinafter provided for may mutually agree upon, a quantity of water amounting to not over twenty-five thousand gallons per day, except in cases of emergency of not more than one day's duration, and then in such quantities only as may be necessary to relieve the emergency. If the commissioner and the said water commissioners are unable so to agree, the water shall be pumped and delivered upon such conditions and terms as shall be approved and authorized by the governor and council. Upon the establishment of a system of water supply by the district under the terms of this act, all arrangements and agreements between the commonwealth and its agents and the said district as aforesaid shall terminate.

May obtain from commonwealth temporary water supply from works of certain institutions.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district.

Management, etc., of land taken.

SECTION 7. Any person injured in his property by any action of said water commissioners under this act may recover damages from said district under said chapter seventy-

Recovery of damages.

Proviso.

nine; provided, that the right to damages for the taking of any water or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said district under authority of this act.

Assessment
and collection
of taxes.

SECTION 8. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Belchertown who shall assess the same on said district in the same manner in all respects in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector who shall collect the tax in the manner provided for the collection of town taxes, and shall deposit the proceeds with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the same manner in which interest is authorized to be collected on town taxes.

First meeting,
how called,
etc.

SECTION 9. A meeting of the voters of the territory included within the boundaries set forth in section one shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of the town of Belchertown, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. One of the petitioners shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator, the question of the acceptance of this act shall be submitted to the voters, and if it shall be accepted by a majority of the voters present and voting thereon it shall take full effect, and the meeting may then proceed to act upon the other articles contained in the warrant.

District clerk
and district
treasurer,
election, etc.

SECTION 10. Said district shall, at the same meeting at which this act is accepted and after such acceptance, elect by ballot a district clerk and a district treasurer, who may be the same person, to hold office until one year from the next succeeding annual meeting, and at each annual meeting after the first, their successors shall be elected by ballot for one year; and there shall also be elected by ballot three persons to hold office, one until three years, one until two years, and one until one year, from the next succeeding annual meeting, to constitute a board of water commissioners. At each annual meeting after the first, one such commissioner shall be elected by ballot for three years. All officers of the district

Board of water
commissioners,
election,
powers, etc.

shall hold office until their successors are elected and qualified. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in the board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may impose by its vote. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the district treasury except upon the written order of a majority of the board.

Vacancies, etc.

SECTION 11. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be used to defray all operating expenses, interest charges and payments on principal as they become due upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it shall be used for such new construction as said commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by said commissioners except from the net surplus aforesaid, unless the district appropriates and provides money therefor. All authority vested in said commissioners by the foregoing provisions of this section shall be subject to the provisions of section ten. Said commissioners shall annually, and as often as the district may require, render to the district a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

To fix water rates, etc.

Net surplus, how used.

Annual report.

SECTION 12. Said district may adopt by-laws prescribing by whom and how meetings may be called and notified; and upon the application of ten or more legal voters in the district, meetings may also be called by warrant from a justice of the peace as provided in section nine. Said district may also choose such other officers, not provided for in this act, as it may deem necessary or proper. Said district shall have all the rights and privileges conferred by law upon water districts and fire districts.

By-laws, calling of meetings, etc.

SECTION 13. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, stand-pipe,

Penalty for polluting water, etc.

aqueduct, pipe or other property, owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

Time of taking
effect, etc.

SECTION 14. For the purpose of accepting its provisions as provided in section nine, this act shall take effect ninety days after the date of its passage, but shall be void unless accepted as provided in said section nine within two years after said date, or unless under its provisions the district shall begin the distribution of water within three years after said date.

Approved June 2, 1922.

Chap.506 AN ACT PLACING THE FIRE DEPARTMENT OF THE CITY OF WESTFIELD UNDER THE CHARGE OF A COMMISSION APPOINTED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL.

Be it enacted, etc., as follows:

1920, 294, § 8,
par. 4,
amended.

City of West-
field, fire
department to
be under
charge of a
commission,
etc.

SECTION 1. Section eight of chapter two hundred and ninety-four of the acts of nineteen hundred and twenty is hereby amended by striking out the paragraph numbered four and inserting in place thereof the following: — 4. The fire department, under the charge of a commission of three members, who shall be appointed by the mayor, subject to confirmation by the city council, and who shall choose their chairman and shall serve for the term of two years and until their successors are appointed and qualified.

1920, 294, § 9,
amended.

Appointment
and term of
office of
various
officers.

SECTION 2. Section nine of said chapter two hundred and ninety-four is hereby amended by striking out, in the fifth line, the comma and inserting in place thereof the word: — and, — and by striking out, in the sixth line, the words “and of the fire engineers”, so that the first paragraph will read as follows: — *Section 9.* The term of office, after their first appointment and except in cases of filling vacancies, of the members of the board of assessors, of the board of health, of the board of public works, of the municipal light board, of the planning board and of the board of survey and of the overseers of the poor shall be three years; of the playground commission, five years; of the police commission, two years; and they shall hold office until their successors are appointed and qualified.

SECTION 3. This act shall be submitted to the voters of the city of Westfield at the state election in the current year, in the form of the following question to be placed upon the official ballot: — “Shall an act of the general court passed in the current year, entitled ‘An Act placing the fire department of the city of Westfield under the charge of a commission appointed by the mayor and confirmed by the city council’ be accepted?” If a majority of the votes cast on said question are in the affirmative, this act shall take effect, but not otherwise.

To be submitted to voters, etc.

Approved June 5, 1922.

AN ACT PROVIDING FOR THE RECONSTRUCTION OF HAVERHILL LOWER BRIDGE OVER THE MERRIMACK RIVER AT MAIN STREET IN THE CITY OF HAVERHILL.

Chap. 507

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex, and two citizens of said county who shall be appointed by the governor, are hereby constituted a special commission. Subject to the provisions of chapter ninety-one of the General Laws and of all other laws which may be applicable, said commission is hereby authorized to reconstruct, of such type and dimensions as it may determine, Haverhill lower bridge, so-called, over the Merrimack river at Main street in the city of Haverhill, including the approaches thereto.

Special commission to reconstruct Haverhill lower bridge over Merrimack river at Main street in city of Haverhill.

SECTION 2. The costs and expenses incurred under this act shall not exceed the sum of nine hundred thousand dollars, and shall be paid in the first instance by the county of Essex. The said county commissioners may borrow by a temporary loan or loans on the credit of the county such sums not exceeding the said amount as may from time to time be required for the cost and expenses aforesaid, including interest, and may issue bonds or notes of the county therefor bearing interest or discounted as may be deemed advisable, and the county treasurer of said county may sell such bonds or notes at public or private sale upon such terms and conditions as the county commissioners may deem proper. The notes may be renewed from time to time for such periods as may be necessary. All money so borrowed shall be deposited in the county treasury, and the county treasurer shall pay out the same as ordered by the special commission herein provided for and shall keep a separate, accurate account of all moneys so borrowed and expended, including interest or discount, as the case may be.

Cost and expense limited, etc.

Essex county commissioners may borrow money, etc.

Commission to
file statement
of cost, etc.

Apportionment
and assessment
upon county
of Essex and
city of
Haverhill.

County com-
missioners to
file report, etc.

Essex county
may borrow
to pay its
share of costs
and expenses.

County of
Essex,
Haverhill
Lower Bridge
Loan, Act of
1922.

SECTION 3. From time to time, and upon the completion of said bridge and the approaches thereto, the special commission shall file in the office of the clerk of the courts of said county a detailed statement certified under their hands of the actual costs and expenses, including interest or discount, as the case may be, on all moneys borrowed under authority of section two and of reconstructing said bridge and the approaches thereto, except the costs and expenses of the underpass in the south approach, and shall also file a similar statement of the costs and expenses of the underpass. Within three months after the filing of any such statement of the costs and expenses of said bridge and the approaches thereto, except as aforesaid, the county commissioners shall, after such notice as they may deem proper and a hearing, apportion and assess upon said county an amount equal to fifty per cent of said cost and expenses, except as aforesaid, and shall apportion and assess upon the city of Haverhill an amount equal to fifty per cent of said costs and expenses, except as aforesaid. The county commissioners shall file in the office of the clerk of the courts of said county the report of the said apportionment and assessment, and the said clerk shall transmit a true and attested copy thereof to the mayor of the said city; and the said city shall pay its proportion of the said cost and expenses, determined by the county commissioners as aforesaid, into the treasury of said county within sixty days thereafter; and if said city shall refuse or neglect to pay any proportion determined as aforesaid, said county commissioners shall, after notice to the city, issue a warrant against said city for its proportion determined as aforesaid, with interest and costs of the notice and warrant, and the same shall be collected in the same manner as executions in actions at law, and paid into the treasury of the county of Essex and applied in payment of said costs and expenses, except as aforesaid. For the purpose of paying the county's ultimate share of said costs and expenses, including the costs and expenses of the underpass as determined under section six, the county treasurer, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, four hundred fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Essex, Haverhill Lower Bridge Loan, Act of 1922. Such loans shall be payable by such annual payments, beginning not more than one year after the re-

spective dates thereof, as will extinguish each loan within twenty years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. For the purpose of paying the amount assessed against the city of Haverhill, including the cost and expenses of the underpass as determined under section six, the said city may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, four hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Haverhill Lower Bridge Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable within twenty years from their dates. Indebtedness incurred by said city under this act shall be in excess of the statutory limit, but shall, except as otherwise provided herein, be subject to chapter forty-four of the General Laws. The said county and city may sell the said securities at public or private sale upon such terms as they may deem proper but not for less than their par value, and the proceeds of the loans issued by the county shall be used only to pay temporary loans in accordance with the provisions of section two or for the said bridge construction, and the proceeds of the securities issued by said city shall be paid into the county treasury to be applied to payments of securities issued by the county in accordance with section two.

Haverhill may borrow to pay its assessment of cost and expenses.

Haverhill Lower Bridge Loan, Act of 1922.

SECTION 4. The trustees of the Eastern Massachusetts Street Railway Company, its successors or assigns, may enter into an agreement with the county commissioners of Essex county to keep that part of its roadway upon said bridge and approaches between the tracks and rails of the company and eighteen inches outside thereof in repair and safe for public travel, subject to such provisions and subject to such terms as rental for use of said property as the said county commissioners shall impose, and said company shall thereupon have and is hereby granted a location upon said bridge for the construction of two lines of track and for the maintenance of its tracks, poles, and wires and the operation of its railway thereon, and the location herein granted shall not be revoked except by the county commissioners of the county of Essex after public notice and a hearing and no such revocation shall be valid until approved by the department of public utilities.

Location upon bridge for Eastern Massachusetts Street Railway Company, etc.

Commission
may take land,
etc.

SECTION 5. The said special commission may take by eminent domain under chapter seventy-nine of the General Laws, or purchase, such land, rights or easements as may be required to carry out the provisions of this act and may discontinue and close as a public landing any or all portions of what is now known as a public landing lying on the north bank of the Merrimack river within or adjacent to the limits of the present bridge; and it may lay out or alter as provided in chapter eighty-two of the General Laws such ways as may be necessary either to give access to such points as are now reached by means of said landing or to accommodate the new bridge and approaches or for any other purpose consistent herewith, and may construct the same; the cost and expenses incidental to the takings and purchase of lands, rights and easements, the discontinuance and closing up of the public landing, the laying out, alteration and construction of any ways as contemplated by this section and the cost and expenses incidental to any acts authorized by this section shall be included as a part of the cost and expenses of the work authorized by this act.

May rebuild
bridge or
underpass
through which
tracks of
Boston and
Maine Railroad
now cross
south approach
of bridge, etc.

SECTION 6. The special commission, herein provided for, as a part of the reconstruction of said bridge and approaches, may rebuild and extend the bridge or underpass through which the tracks of the Boston and Maine Railroad now cross the south approach of said bridge, but the clear height of said underpass above the railroad track shall not be less than at present and the grade of the tracks shall not be lowered without the consent of the Boston and Maine Railroad nor without the approval of the department of public utilities. The charges, expenses and costs of said underpass and the future charges for keeping the same in repair shall be determined in accordance with the provisions of sections sixty-one to sixty-three, inclusive, of chapter one hundred and fifty-nine of the General Laws, by a commission of three disinterested persons appointed by the superior court as provided by section sixty-two of said chapter one hundred and fifty-nine, and the county of Essex may recover in contract from any other party the proportion awarded to be paid by such other party; and the provisions of chapter one hundred and eighty-eight of the Special Acts of nineteen hundred and eighteen shall not apply thereto.

Expense of
maintaining
and operating
bridge, etc.

SECTION 7. Upon the completion of the work of reconstructing the said bridge or any part thereof, and the opening

of the same to travel, the expense of maintaining and operating the same shall in the first instance be paid by the county of Essex. The county commissioners of said county shall have full control of the bridge and shall annually in the month of November submit to the treasurer of the city of Haverhill a true statement of the expense of maintenance and operation of the bridge; and within sixty days thereafter the said city shall pay into the treasury of the said county sixty per cent of the said expense and if the said city shall neglect or refuse to pay the said amount, the said commissioners shall, after notice to the city, issue a warrant for the amount determined as aforesaid, with interest and costs of notice and warrant, and the same shall be collected and paid into the treasury of said county to be applied in payment of the expense aforesaid.

City of Haverhill to pay part of expense, etc.

SECTION 8. The permanent member of the board of county commissioners, and in the absence of such permanent member the associate member, elected or appointed from and residing in the said city of Haverhill, shall not be disqualified by reason of such residence from serving as a member of the board of county commissioners or as a member of the special commission herein provided for, any provision of section twelve of chapter thirty-four of the General Laws to the contrary notwithstanding.

Certain county commissioners not disqualified by reason of residence, etc.

SECTION 9. The members of the special commission herein provided for shall receive no compensation for their services other than that provided by law.

Compensation of members of commission.

SECTION 10. This act shall take effect upon its acceptance by the county commissioners of the county of Essex and the municipal council of the city of Haverhill; provided, that such acceptances occur prior to December thirty-first in the current year.

To be submitted to Essex county commissioners and to Haverhill municipal council. Proviso.

Approved June 5, 1922.

AN ACT RELATIVE TO THE TIME WITHIN WHICH A MOTION FOR NEW TRIAL MAY BE FILED IN CAPITAL CASES. *Chap. 508*

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and seventy-eight of the General Laws is hereby amended by striking out section twenty-nine and inserting in place thereof the following:—
Section 29. The superior court may, at the sitting in which an indictment is tried, or within one year thereafter, or, in capital cases, within said year or at any time before sentence,

G. L. 278, § 29, amended.

Superior court may grant new trial, etc.

upon motion in writing of the defendant, grant a new trial for any cause for which by law a new trial may be granted or if it appears to the court that justice has not been done, and upon such terms or conditions as the court shall order.

SECTION 2. This act shall take effect upon its passage.

Approved June 6, 1922.

Chap.509 AN ACT RELATIVE TO THE SPEEDY TRIAL OF CASES IN THE SUPREME JUDICIAL AND SUPERIOR COURTS.

Be it enacted, etc., as follows:

G. L. 231, new section after § 59.

Speedy trial of cases in supreme judicial and superior courts.

SECTION 1. Chapter two hundred and thirty-one of the General Laws is hereby amended by inserting after section fifty-nine the following new section: — *Section 59A.* In any action at law or suit in equity in the supreme judicial court or in the superior court, the court may on motion for cause shown advance said action or suit for speedy trial.

SECTION 2. This act shall take effect upon its passage.

Approved June 7, 1922.

Chap.510 AN ACT AUTHORIZING THE COUNTY OF DUKES TO INCUR INDEBTEDNESS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

County of Dukes may borrow money for highway purposes.

County of Dukes, Menemsha Creek Road Loan, Act of 1922.

SECTION 1. For the purpose of paying its proportion of the cost of the improvement of the Menemsha Creek road in the town of Chilmark, the county treasurer of the county of Dukes, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate seventy-five hundred dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Dukes, Menemsha Creek Road Loan, Act of 1922, and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within five years from its date, and the amount of such annual payments in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan.

SECTION 2. This act shall take effect upon its passage.

Approved June 7, 1922.

AN ACT RELATIVE TO THE BARNSTABLE COUNTY RETIREMENT ASSOCIATION. *Chap. 511*

Be it enacted, etc., as follows:

SECTION 1. The certificate issued by the insurance commissioner, dated January fourth, nineteen hundred and twelve, under the provisions of section two of chapter six hundred and thirty-four of the acts of nineteen hundred and eleven, declaring the establishment of a retirement system for the employees of Barnstable county, and the organization of the retirement association under said chapter, are hereby annulled.

Certificate issued by insurance commissioner as to Barnstable county retirement association, etc., annulled.

SECTION 2. The commissioner of insurance is hereby directed to issue forthwith his certificate, as provided in section twenty-one of chapter thirty-two of the General Laws, establishing the said system under the provisions of said chapter thirty-two to become operative, however, on July first, nineteen hundred and twenty-two, and the retirement association shall then be organized under section twenty-two of said chapter thirty-two.

Commissioner of insurance to issue certificate, etc.

Retirement association to be organized, etc.

SECTION 3. This act shall take effect upon its passage.

Approved June 7, 1922.

AN ACT RELATIVE TO BONDS IN THE PROBATE COURT. *Chap. 512*

Be it enacted, etc., as follows:

Chapter two hundred and five of the General Laws is hereby amended by inserting after section seven the following new section: — *Section 7A.* The various conditions set forth for the bonds of fiduciaries specified in section one shall be known as statutory conditions for their several purposes and may be incorporated by reference. All bonds upon such conditions given by persons accepting appointments as such fiduciaries shall be, and be interpreted as, payable to the judge or the senior judge of the court making the appointment and his successors for the benefit of persons interested but it shall not be necessary to specify the judge or any other persons as obligees in the bonds. Such bonds shall be jointly and severally binding upon the parties thereto and the heirs, executors and administrators of each of them without so specifying therein. No letter of appointment need be issued to any fiduciary or recorded, but in lieu thereof an attested copy of the decree of appointment with a copy of the statutory

G. L. 205, new section after § 7.

Bonds of fiduciaries in probate court, statutory conditions, to whom payable, etc.

Obligations.

Letter of appointment need not be issued, etc.

Statutory
forms of
bonds.

condition shall be issued to the appointee. The direction to post or publish notice of appointment, when necessary, may be inserted in or annexed to said decree. The following forms of bonds may be used and shall be known as statutory forms and shall have the same force and effect as the forms of bonds heretofore in use for their respective purposes. They may be altered as circumstances require.

STATUTORY FORM OF BOND WITH SURETIES.

Statutory form
of bond with
sureties.

I accept appointment as executor, administrator, etc., of
and stand bound in the sum of
dollars, with and as sureties to
perform the statutory condition and we said sureties stand
bound jointly and severally as aforesaid.

Dated

Seal.

STATUTORY FORM OF BOND WITHOUT SURETIES.

Statutory form
of bond with-
out sureties.

I accept appointment as executor, administrator, etc., of
and stand bound to perform the statutory
condition.

Dated

Seal.

Enforcement
of obligations
of bonds, etc.

No penal sum need be inserted in a bond without sureties.
In addition to other remedies, the obligations of the several
bonds provided for in this chapter may be enforced directly
by any party interested in his own name by petition in equity
in the probate court. The use of the statutory forms above
set forth may be substituted for the longer forms heretofore
in use and the practice of issuing and recording letters of ap-
pointment may be dispensed with.

Use of
statutory
forms may be
substituted,
etc.

Approved June 7, 1922.

Chap. 513 AN ACT AUTHORIZING THE APPOINTMENT OF A DEPUTY COMMISSIONER OF BANKS.

Be it enacted, etc., as follows:

G. L. 26, § 3,
amended.

Section three of chapter twenty-six of the General Laws is hereby amended by inserting at the beginning thereof the following new sentence: — Subject to the approval of the governor and council, the commissioner may appoint, remove, and fix the salary of, a deputy commissioner, — so as to read as follows: — *Section 3.* Subject to the approval of the governor and council, the commissioner may appoint, remove, and fix the salary of, a deputy commissioner. The commissioner may appoint and remove such clerical and

Deputy com-
missioner of
banks, appoint-
ment, etc.
Commissioner
of banks may
appoint, etc.,
employees, etc.

other assistants as the work of the division may require, and fix their compensation. He shall be allowed necessary expenses, including those for the investigation of, and prosecution for, violation of any provision of sections ninety-six to one hundred and fourteen, inclusive, of chapter one hundred and forty, and the actual expenses incurred by him and his subordinates in traveling in the performance of official duties. The clerical and other assistants shall give bonds, with sureties to be approved by the commissioner, for the faithful performance of their duties.

Bonds.

Approved June 7, 1922.

AN ACT AUTHORIZING THE ASSESSORS OF THE TOWN OF HULL TO ABATE CERTAIN TAXES ASSESSED TO JOSEPH RUDNICK UPON REAL PROPERTY BELONGING TO THE TEMPLE ISRAEL OF NANTASKET. Chap. 514

Be it enacted, etc., as follows:

The assessors of the town of Hull may abate certain taxes assessed for the year nineteen hundred and twenty-one to Joseph Rudnick upon real property which, on April first, nineteen hundred and twenty-one, belonged to the Temple Israel of Nantasket, a religious corporation.

Assessors of town of Hull may abate certain taxes assessed to Joseph Rudnick, etc.

Approved June 7, 1922.

AN ACT RELATIVE TO THE SETTING OF FIRES IN THE OPEN AIR. Chap. 515

Be it enacted, etc., as follows:

Section thirteen of chapter forty-eight of the General Laws is hereby amended by inserting after the word "material" in the sixteenth line the words: — The forester may make rules and regulations relating to the granting and revocation of such permits binding throughout the commonwealth or any part thereof, outside the metropolitan fire prevention district. Such rules and regulations shall take effect subject to section thirty-seven of chapter thirty, when approved by the governor and council, — so as to read as follows: —
Section 13. No person shall set, maintain or increase a fire in the open air between March first and December first except by written permission of the state fire marshal, within the metropolitan fire prevention district as defined in section twenty-eight of chapter one hundred and forty-eight, or, outside thereof, of the forest warden or chief of the fire department in cities and towns, or, in cities having such an official, the fire commissioner; provided, that debris from fields,

G. L. 48, § 13, amended.

Setting, etc., fires in open air regulated.

Proviso.

gardens and orchards, and leaves and rubbish from yards may be burned on ploughed fields by the owners thereof, their agents or lessees, if such fire is at least two hundred feet distant from any sprout or forest land and at least fifty feet distant from any building and is properly attended until extinguished; and provided, further, that persons above the age of eighteen may set or maintain a fire for a reasonable purpose upon sandy land, or upon salt marshes or sandy or rocky beaches bordering on tide water, if the fire is enclosed within rocks, metal or other non-inflammable material. The forester may make rules and regulations relating to the granting and revocation of such permits binding throughout the commonwealth or any part thereof, outside the metropolitan fire prevention district. Such rules and regulations shall take effect subject to section thirty-seven of chapter thirty, when approved by the governor and council. The forest wardens in towns and officials performing the duties of forest wardens in cities shall cause public notice to be given of the provisions of this section, and shall enforce the same. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month, or both.

Proviso.

Rules and regulations by state forester.

Notice and enforcement of law.

Penalty.

Approved June 7, 1922.

Chap. 516 AN ACT REQUIRING CERTAIN CITIES AND TOWNS TO VOTE ON THE QUESTION OF THE INSTALLATION BY THE COMMONWEALTH OF A MUNICIPAL ACCOUNTING SYSTEM.

Be it enacted, etc., as follows:

Certain cities and towns required to vote on question of installation by commonwealth of a municipal accounting system.

SECTION 1. In every city, and in every town using official ballots, in which an accounting system has not been installed under the provisions of section thirty-five or thirty-six of chapter forty-four of the General Laws, or corresponding provisions of earlier laws, there shall be placed upon the official ballot at the next city election, and in such towns upon the official ballot used for the election of town officials at the annual town meeting in the year nineteen hundred and twenty-three, the following question: "Shall the (city) or (town) petition for the installation of an accounting system by the commonwealth?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, then in cities the city council and in towns the selectmen shall forthwith petition the director of the division of accounts of

the department of corporations and taxation for the installation of an accounting system in said city or town under the provisions of said chapter forty-four.

SECTION 2. In every town not using official ballots in which an accounting system has not been installed under the provisions of section thirty-five of said chapter forty-four, or corresponding provisions of earlier laws, there shall be printed on the warrant, at a town meeting to be held not later than the annual town meeting in the year nineteen hundred and twenty-three, an article to see if the town will petition the commonwealth for the installation of an accounting system under the provisions of said chapter forty-four.

Certain towns not using official ballots to have article printed on warrant, etc.

Approved June 7, 1922.

AN ACT PROVIDING A PREFERENCE TO CITIZENS IN AWARDING CONTRACTS FOR PUBLIC WORK.

Chap. 517

Be it enacted, etc., as follows:

Chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after section one hundred and seventy-nine the following new section: — *Section 179A.* In the awarding of contracts for public work by the commonwealth or by a county, city or town or by persons contracting therewith to do such work, preference shall be given to persons who are citizens of the United States and to partnerships all of whose members are such citizens. Any person who knowingly and wilfully violates this section shall be punished by a fine of not more than two hundred dollars. Nothing in this section shall require the acceptance of a higher bid in preference to a lower bid.

G. L. 149, new section after § 179.

Preference to citizens in awarding contracts for public work.

Penalty.

Acceptance of higher bid in preference to lower bid not required.

Approved June 8, 1922.

AN ACT RELATIVE TO THE RELOCATION OF THE HIGHWAY IN WILBRAHAM UNDER THE TRACKS OF THE BOSTON AND ALBANY RAILROAD NEAR THE RAILROAD STATION AT NORTH WILBRAHAM.

Chap. 518

Be it enacted, etc., as follows:

SECTION 1. The division of highways of the department of public works is hereby directed to alter the crossing in the town of Wilbraham where the highway passes under the tracks of the Boston and Albany Railroad near the railroad station at North Wilbraham, so that the highway and crossing may be made safe for public travel.

Division of highways may alter certain crossing in town of Wilbraham.

Construction
in conformity
with plans,
etc.

SECTION 2. Said division shall construct the roadway, and shall also construct the bridges and abutments, in conformity with such plans as may be agreed upon by said division and the Boston and Albany Railroad Company, or, in case of failure so to agree, as may be approved by the department of public utilities.

Payment
toward cost by
Boston and
Albany Rail-
road Company
and common-
wealth.

SECTION 3. The Boston and Albany Railroad Company shall pay toward the cost and expenses so incurred such sum as may be agreed upon by said division and said railroad company, and the remainder of such cost and expenses shall, in the first instance, be paid by the commonwealth; but the total cost and expenses to be so paid by the commonwealth shall not exceed the sum of one hundred and ten thousand dollars.

Statement of
cost to be
filed, etc.

SECTION 4. Upon the completion of the work, said division shall file in the office of the state auditor a detailed statement certified by it of the actual cost and expenses incurred and paid by the commonwealth under the provisions of this act, and such cost and expenses shall be apportioned as follows: sixty per cent on the commonwealth, to be paid from item number six hundred and thirty-one of the general appropriation act for the current year, and forty per cent upon the county of Hampden. Said county of Hampden shall, within such time and in such manner as the division may direct, pay its said proportionate amount into the state treasury.

Hampden
county may
borrow money.

SECTION 5. For the purpose of paying the forty per cent of said cost which is to be borne by the county of Hampden, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary, not exceeding in the aggregate forty-four thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Hampden Highway Loan, Act of 1922, and shall be payable by such annual payments, beginning not more than one year from the date thereof, as will extinguish each loan within ten years from its date, and the amount of such annual payment in any year shall not be less than the principal of the loan payable in any subsequent year. Each authorized issue shall constitute a separate loan. The said county may sell the said securities at public or private sale upon such terms and conditions as it may deem proper but not for less than their par value, and the proceeds of such loans shall be paid to the commonwealth as provided in section four.

County of
Hampden
Highway
Loan, Act of
1922.

SECTION 6. This act shall take effect upon its acceptance by the county commissioners of the county of Hampden; provided, that such acceptance occurs prior to December thirty-first in the current year. *Approved June 8, 1922.*

To be submitted to Hampden county commissioners. Proviso.

AN ACT ESTABLISHING THE DIVISION OF MENTAL HYGIENE IN THE DEPARTMENT OF MENTAL DISEASES. *Chap. 519*

Be it enacted, etc., as follows:

SECTION 1. Chapter nineteen of the General Laws is hereby amended by inserting after section four the following new section: — *Section 4 A.* There shall be in the department a division of mental hygiene, under the supervision of a director. The commissioner, with the approval of the governor and council, may employ such expert assistance to serve in said division as may be necessary.

G. L. 19, new section after § 4.

Division of hygiene in department of mental diseases, director, etc.

SECTION 2. Chapter one hundred and twenty-three of the General Laws is hereby amended by inserting after section three the following new section: — *Section 3 A.* The department shall take cognizance of all matters affecting the mental health of the citizens of the commonwealth, and shall make investigations and inquiries relative to all causes and conditions that tend to jeopardize said health, and the causes of mental disease, feeble-mindedness and epilepsy, and the effects of employments, conditions and circumstances on mental health, including the effect thereon of the use of drugs, liquors and stimulants. It shall collect and disseminate such information relating thereto as it considers proper for diffusion among the people, and shall define what physical ailments, habits and conditions surrounding employment are to be deemed dangerous to mental health.

G. L. 123, new section after § 3.

Department of mental diseases, duties as to mental health, etc.

SECTION 3. Said chapter one hundred and twenty-three is hereby further amended by inserting after section thirteen the following new section: — *Section 13 A.* Such of the powers and duties conferred or imposed upon the department, relating to the cause and prevention of mental disease, feeble-mindedness, epilepsy and other conditions of abnormal mentality, as the commissioner may determine may be exercised and performed by the division of mental hygiene. In addition to said powers and duties, said division shall institute inquiries and investigations for the purpose of ascertaining the causes of mental disease, including epilepsy and feeble-mindedness, with a view to its prevention. It may also establish, foster and develop out-patient clinics.

G. L. 123, new section after § 13.

Division of mental hygiene, powers, duties, etc.

Approved June 8, 1922.

Chap. 520 AN ACT PROVIDING FOR THE COLLECTION OF CERTAIN TAXES
BY THE COMMISSIONER OF CORPORATIONS AND TAXATION.

Be it enacted, etc., as follows:

G. L. 14, § 2,
amended.

SECTION 1. Section two of chapter fourteen of the General Laws is hereby amended by inserting after the word "determine" in the fifth line the words:— and shall give to the state treasurer a bond for the faithful performance of his official duties in a penal sum and with sureties approved by the governor and council, — so as to read as follows:—

Commissioner
of corporations
and taxation,
appointment,
term, salary,
etc.

Section 2. Upon the expiration of the term of office of a commissioner, his successor shall be appointed for three years by the governor, with the advice and consent of the council. The commissioner shall receive such salary, not exceeding seventy-five hundred dollars, as the governor and council determine and shall give to the state treasurer a bond for the faithful performance of his official duties in a penal sum and with sureties approved by the governor and council.

To give bond.

G. L. 63, § 11,
amended.

SECTION 2. Section eleven of chapter sixty-three of the General Laws is hereby amended by striking out, in the third and fourth lines, the words "state treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows:— *Section 11.* Every savings bank and every trust company having a savings department, as defined respectively in chapters one hundred and sixty-eight and one hundred and seventy-two, shall pay to the commissioner, on account of its depositors, an annual tax of one half of one per cent, which shall be levied on the amount of the deposits in a savings bank, and on the amount of such of the deposits in the savings department of a trust company as do not exceed in amount the limits imposed upon deposits in savings banks by section thirty-one of chapter one hundred and sixty-eight, to be assessed and paid as follows: one fourth of one per cent shall be assessed by the commissioner upon the average amount of such deposits for the six months preceding May first, and paid on or before May twenty-fifth; and a like percentage shall be assessed upon the average amount of such deposits for the six months preceding November first, and paid on or before November twenty-fifth.

Taxation of
deposits in
savings banks
and trust
companies
having savings
departments.

G. L. 63, § 17,
amended.

SECTION 3. Section seventeen of said chapter sixty-three is hereby amended by inserting after the word "pay" in the sixth line the words: — to the commissioner, — so as to read as follows:— *Section 17.* The Massachusetts Hospital Life

Taxation of
Massachusetts

Insurance Company shall semi-annually, on or before May tenth and November tenth, make a return, signed and sworn to by a majority of its board of directors, of the full amount of all money and property, in detail, in its possession or charge as deposits, trust funds or for purposes of investment, and shall pay to the commissioner upon all the same, except upon deposits invested in loans secured by mortgages of real estate taxable in this commonwealth and in bonds or certificates of indebtedness of the United States, a tax at the rate imposed upon savings banks on account of deposits. If said corporation neglects to make such return, it shall forfeit fifty dollars for each day such neglect continues; and if it wilfully makes a false statement in any such return, it shall be punished by a fine of not less than five hundred nor more than five thousand dollars.

Hospital Life Insurance Company.

Penalty.

SECTION 4. Section eighteen of said chapter sixty-three is hereby amended by striking out, in the fifth line, the word "commonwealth" and inserting in place thereof the word: —

G. L. 63, § 18, amended.

commissioner, — so as to read as follows: — *Section 18.* Savings and insurance banks doing business under chapter one hundred and seventy-eight shall, in respect to all funds held by the insurance department as a part of its insurance reserve or surplus, and the General Insurance Guaranty Fund created by said chapter shall in respect to all funds held by it, pay to the commissioner the same taxes, at the same rate, to the same extent, and in the same manner as taxes under section eleven are payable on deposits held by the savings department. Savings and insurance banks shall not be taxable on funds held as part of the expense guaranty fund, or of the insurance guaranty fund, nor shall such banks or the General Insurance Guaranty Fund be liable to the commonwealth for any taxes or fees provided to be assessed upon life insurance companies, or for any taxes or fees except as above provided. All insurance policies and annuity contracts issued by such banks shall otherwise be exempt from taxation.

Certain insurance funds subject to same tax as savings bank deposits.

SECTION 5. Section twenty-eight of said chapter sixty-three is hereby amended by striking out, in the sixth line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — and also by striking out all after the word "appeal", in the twelfth line, so as to read as follows: — *Section 28.* The commissioner, from such returns, and from such other evidence as he may obtain, shall assess upon all insurance companies subject to this chapter the taxes imposed by sections twenty to twenty-three, inclusive,

G. L. 63, § 28, amended.

Taxation of insurance companies.

and shall forthwith upon making such assessment give to every such company notice of the amount thereof. Such taxes shall become due and payable to the commissioner thirty days after the date of such notice but not later than July first. All such taxes, whether assessed before or after July first, shall bear interest at the rate of twelve per cent per annum from that date until they are paid. Within ten days after the date of such notice the company may apply to the commissioner for a correction of said excise, and in default of settlement may be heard thereon by the board of appeal.

Assessment and notice to companies.

Application for correction and board of appeal.

G. L. 63, § 29, amended.

Taxation of insurance companies.

Recovery of tax and injunction.

G. L. 63, § 45, amended.

Taxation of business corporations. Assessment of additional tax.

SECTION 6. Section twenty-nine of said chapter sixty-three is hereby amended by striking out, in the fourth line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows: — *Section 29.* Every domestic or foreign insurance company shall be liable for the full amount of all taxes assessed under this chapter upon it or its agents, which, with interest at the rate of twelve per cent per annum, may be recovered in contract by the commissioner in the name of the commonwealth. It shall further be liable, upon an information, to an injunction restraining it and its agents from the further prosecution of its business until all taxes due with costs and interest are fully paid.

SECTION 7. Section forty-five of said chapter sixty-three is hereby amended by striking out, in the twelfth line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows: — *Section 45.* If the commissioner discovers from the verification of a return, or otherwise, that the full amount of any tax due under sections thirty to fifty-one, inclusive, has not been assessed, he may, at any time within two years after September first of the year in which such assessment should have been made, assess the same, first giving notice to the corporation to be assessed of his intention; and a representative of the corporation shall thereupon have an opportunity, within ten days after such notification, to confer with the commissioner as to the proposed assessment. After the expiration of ten days from the notification the commissioner shall assess the amount of the tax remaining due to the commonwealth, and shall give notice to the corporation so assessed. Any tax so assessed shall be payable to the commissioner fourteen days after the date of the notice, and sections fifty-one and fifty-two shall apply to a tax so assessed.

SECTION 8. Section forty-eight of said chapter sixty-three is hereby amended by striking out, in the eighth and tenth lines, the words "state treasurer" and inserting in place thereof in each instance the word: — commissioner, — so as to read as follows: — *Section 48.* Except as provided by section forty-five, the commissioner shall annually, as soon as may be after the first Monday of August, give notice to the treasurer of each corporation of the amount of any tax levied upon it under sections thirty to fifty-one, inclusive, of the date upon which such amount is payable and of the time within which the corporation may apply for a correction of the tax; but failure to receive said notice shall not affect the validity of the tax. Such taxes shall be payable to the commissioner within thirty days after the date of said notice, but not before October twentieth. In the collection of all taxes under said sections thirty to fifty-one, inclusive, the commissioner shall have all the remedies provided by this chapter for the collection of other taxes upon corporations.

G. L. 63, § 48,
amended.

Taxation of
business corpo-
rations.
Notice of tax.

Time of pay-
ment.

Collection by
commissioner
of corporations
and taxation.

SECTION 9. Section sixty of said chapter sixty-three is hereby amended by striking out, in the sixth line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows: — *Section 60.* The commissioner shall annually, as soon as may be after the first Monday of August, give notice to the treasurer of every corporation, company or association liable to any tax under section fifty-eight, of the amount thereof, the time when due, the right to apply for correction, and the right of appeal, all as herein provided. Said tax shall be due and payable to the commissioner within thirty days after the date of such notice, but not before October twentieth. The taxpayer may apply to the commissioner, within thirty days after the date of the notice, for correction of the tax, and if he so applies, may, in default of settlement, be heard on such application by the board of appeal.

G. L. 63, § 60,
amended.

Taxation of
corporate
franchises.
Notice of tax.

Time of pay-
ment.

Application for
correction
and board
of appeal.

SECTION 10. Section seventy of said chapter sixty-three is hereby amended by striking out, in the first and second lines, the words "and certified to the state treasurer", and also by inserting after the word "commissioner" in the second line the words: — under this chapter, — so as to read as follows: — *Section 70.* Corporations which neglect to pay taxes assessed by the commissioner under this chapter shall pay interest at the rate of six per cent per annum from the time when such taxes were payable until paid, if such payment is

G. L. 63, § 70,
amended.

Taxation of
corporations.
Interest on
unpaid taxes.

made before the commencement of proceedings for the recovery thereof, and twelve per cent if made after the commencement thereof.

G. L. 63, § 72,
amended.

Taxation of
corporations.
Collection of
tax by
warrant.

SECTION 11. Section seventy-two of said chapter sixty-three is hereby amended by striking out, in the fifth, sixth and twentieth lines, the words "state treasurer" and inserting in place thereof in each instance the word: — commissioner, — so as to read as follows: — *Section 72.* When a tax or excise of any kind remains due to or is claimed by the commonwealth from a corporation, company or association, whether existing by authority of the commonwealth or otherwise, except a municipal corporation, for ten days after notice given through the mail by the commissioner to its treasurer or other financial agent that such tax or excise is due and unpaid, the commissioner may, in addition to other modes of relief, issue his warrant, directed to the sheriff or his deputies of the county where such corporation, company or association has its place of business, commanding the collection of such tax or excise. Such warrant may be substantially in the form of and served in the same manner as those issued by the assessors of towns. Such warrant shall not run against the body of any person, nor shall any property of such delinquent corporation, company or association be exempt from seizure and sale thereon. The officer having such warrant shall collect such tax or excise, and interest upon the same at the rate of twelve per cent per annum from the time when such tax or excise became due, and may collect and receive for his fees the sum which an officer would be entitled by law to receive upon an execution for a like amount. He shall also collect one dollar for the warrant, which he shall pay to the commissioner.

G. L. 63, § 73,
amended.

Taxation of
corporations.
Action at law
to recover un-
paid taxes.

SECTION 12. Section seventy-three of said chapter sixty-three is hereby amended by striking out, in the third line, the word "treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows: — *Section 73.* If a corporation, company or association fails to pay a tax levied under this chapter, except the excise imposed by section sixty-two, the commissioner may recover the same in contract in the name of the commonwealth.

G. L. 63, § 75,
amended.

Taxation of
corporations.

SECTION 13. Section seventy-five of said chapter sixty-three is hereby amended by striking out, in the fourth line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows: — *Section 75.* In addition to the methods provided by sections

seventy-two and seventy-three, taxes under this chapter, except section sixty-two, may be collected by an information brought in the supreme judicial court by the attorney general at the relation of the commissioner. The court may issue an injunction upon such information, restraining the further prosecution of the business of the company, association or corporation until such taxes, with interest and costs thereon, have been paid; but no telegraph company accepting the provisions of section fifty-two hundred and sixty-three of the Revised Statutes of the United States shall be enjoined from constructing, maintaining or operating a telegraph line over and along any of the military or post roads of the United States within this commonwealth.

Collection of unpaid taxes by information.

SECTION 14. Section seventy-seven of said chapter sixty-three is hereby amended by striking out, in the tenth line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows: — *Section 77.* Any corporation, company or association aggrieved by the exaction of any tax or excise or of any part thereof may, within six months after the payment of the same, whether such payment be after or before the issue of the warrant mentioned in section seventy-two, apply by petition to the supreme judicial court, setting forth the amount of the tax or excise and costs thereon so paid, the general legal grounds and the specific grounds in fact, if any, upon which it is claimed such tax or excise should not have been exacted. Said petition shall be the exclusive remedy and shall be entered and heard in Suffolk county. A copy of the same shall be served upon the commissioner and upon the attorney general. The proceedings upon such petition shall conform, as nearly as may be, to proceedings in equity, and an abatement shall be made of only such portion of the tax or excise as was assessed without authority of law.

G. L. 63, § 77, amended.

Taxation of corporations. Determination of validity of tax by supreme judicial court on petition.

SECTION 15. Section seven of chapter sixty-five of the General Laws is hereby amended by striking out, in the third line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — so that the first paragraph will read as follows: — *Section 7.* Taxes imposed by this chapter upon property or interests therein, passing by will or by laws regulating intestate succession, shall be payable to the commissioner by the executors, administrators or trustees at the expiration of one year from the date of the giving of bond by the executors, administrators or trustees first appointed; except that in all cases where there shall be

G. L. 65, § 7, amended.

Taxation of legacies and successions. Time, place and manner of payment.

a devise, descent or bequest to take effect in possession or come into actual enjoyment after the expiration of one or more life estates or of a term of years, the taxes thereon shall be payable by the executors, administrators or trustees in office when such right of possession accrues, or, if there is no such executor, administrator or trustee, by the persons so entitled thereto, at the expiration of one year from the date when the right of possession accrues to the persons so entitled.

G. L. 65, § 8,
amended.

Taxation of
legacies and
successions.
Payment on
transfer of
stock by
foreign
executor, etc.

Liability of
corporation for
transfer with-
out payment.

G. L. 65, § 23,
amended.

Taxation of
legacies and
successions.
No final
account of
executor, etc.,
allowed unless
taxes paid, etc.

SECTION 16. Section eight of said chapter sixty-five is hereby amended by striking out, in the fifth line, the words "to the state treasurer", and also by striking out, in the fourteenth line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows: — *Section 8.* If a foreign executor, administrator or trustee assigns or transfers any stock in any national bank situated in this commonwealth, or in any corporation organized under the laws of this commonwealth, owned by a deceased non-resident at the date of his death and liable to a tax under this chapter, the tax shall be paid at the time of such assignment or transfer, and if it is not paid when due, such executor, administrator or trustee shall be personally liable therefor until it is paid. A bank situated in this commonwealth or a corporation organized under the laws of this commonwealth which shall record a transfer of any share of its stock made by a foreign executor, administrator or trustee, or issue a new certificate for a share of its stock at the instance of a foreign executor, administrator or trustee, before all taxes imposed thereon by this chapter have been paid, shall be liable for such tax in an action of contract brought by the commissioner.

SECTION 17. Section twenty-three of said chapter sixty-five is hereby amended by striking out, in the ninth and tenth lines, the words "the receipt of the state treasurer" and inserting in place thereof the words: — his receipt, — so as to read as follows: — *Section 23.* Except as provided in the following section, no final account of an executor, administrator or trustee shall be allowed by the probate court unless such account shows, and the judge of said court finds, that all taxes imposed by this chapter upon any property or interest therein belonging to the estate to be settled by said account and already payable have been paid, and that all taxes which may become due on said estate have been paid or settled as hereinbefore provided, or that the payment thereof to the commonwealth is secured by bond or deposit

or by lien on real estate. The certificate of the commissioner and his receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax, to the extent of said certification.

SECTION 18. Section twenty-seven of said chapter sixty-five is hereby amended by striking out, in the third line, the words "to the state treasurer and", so as to read as follows:

— *Section 27.* The commissioner shall determine the amount of tax due and payable upon any estate or part thereof, and shall certify the amount so due and payable to the persons by whom the tax is payable; but in the determination of the amount of any tax under this chapter the commissioner shall not be required to consider any payments on account of debts or expenses of administration which have not been allowed by the probate court having jurisdiction of said estate. Payment of the amount so certified shall be a discharge of the tax. An executor, administrator, trustee, grantee, donee or survivor aggrieved by any determination of the commissioner may, within one year after the payment of any such tax, apply by a petition in equity to the probate court having jurisdiction of the estate of the decedent for the abatement of the tax or any part thereof, and if the court adjudges that the tax or any part thereof was wrongly exacted it shall order an abatement of such part thereof as was assessed without authority of law. Upon a final decision ordering an abatement of any part of such a tax, the treasurer shall pay the amount adjudged to have been illegally exacted, with interest, without any further act or resolve making appropriation therefor.

G. L. 65, § 27,
amended.

Taxation of
legacies and
successions.
Commissioner
to certify
amount of tax,
etc.

Abatement by
probate court.

SECTION 19. Section thirty of said chapter sixty-five is hereby amended by striking out, in the fifth line, the words "state treasurer" and inserting in place thereof the word: —

commissioner, — so as to read as follows: — *Section 30.* The probate court having jurisdiction of the settlement of the estate of the decedent shall, subject to appeal as in other cases, hear and determine all questions relative to the tax imposed by this chapter, or by the corresponding provisions of earlier laws, and the commissioner shall represent the commonwealth in any such proceedings. If the court finds that any tax remains due, it shall order the executor, administrator or trustee to pay the same, with interest and costs, and execution shall be awarded against the goods and estate of the deceased in the hands of the executor, administrator or trustee, or, if it appears that there are no such goods or

G. L. 65, § 30,
amended.

Jurisdiction
and procedure
of probate
court in legacy
and succession
tax cases.

estate in his hands, against the goods and estate of the executor, administrator or trustee, as if for his own debt; but the administrators, executors, trustees and grantees mentioned in this chapter shall be personally liable only for such taxes as shall be payable while they continue in the said offices or have title as such grantees respectively.

G. L. 65, § 31,
amended.

SECTION 20. Section thirty-one of said chapter sixty-five is hereby amended by striking out, in the first line, the words "state treasurer" and inserting in place thereof the word: — commissioner, — and also by striking out, in the seventh line, the word "treasurer" and inserting in place thereof the word: — commissioner, — so as to read as follows: — *Section 31.* Upon petition of the commissioner the probate court shall, after such notice to the owners of any real estate or separate parcel thereof as said court shall order, determine the amount of taxes imposed by this chapter and by corresponding provisions of earlier laws which have become payable, and of interest on said taxes, for which such real estate or separate parcel thereof is charged with a lien. After such determination said commissioner may collect said taxes and interest by sale in the manner provided by chapter sixty for the collection of taxes by sale by a collector of taxes, so far as applicable.

Enforcement
in probate
court of lien on
real estate for
legacy and
succession
taxes.

G. L. 65, § 32,
etc., amended.

SECTION 21. Said chapter sixty-five, as amended in section thirty-two by section three of chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section thirty-two and inserting in place thereof the following: — *Section 32.* The commissioner shall commence proceedings for the recovery of any of the taxes imposed by this chapter or by corresponding provisions of earlier laws within six months after the same become payable; and also whenever the judge of a probate court certifies to him that the final account of an executor, administrator or trustee has been filed in such court, and that the settlement of the estate is delayed because of the non-payment of said tax. The probate court shall so certify upon the application of any heir, legatee or other person interested therein. Whenever the circumstances of a case require, the probate court may extend the time for payment of said tax, with or without interest. Any taxes assessed under this chapter or corresponding provisions of earlier laws, which are unpaid and uncollectible, may be abated by the board of appeal on the recommendation of the attorney gen-

Commissioner
to proceed for
recovery of
unpaid legacy
and succession
taxes, etc.

Abatement of
unpaid and
uncollectible
taxes.

eral and the commissioner at any time after the expiration of five years from the date when the same became payable.

SECTION 22. Section thirty-three of said chapter sixty-five is hereby amended by striking out, in the second and fifth lines, the words "state treasurer" and inserting in place thereof in each instance the word: — commissioner, — so as to read as follows: — *Section 33.* Taxes imposed by this chapter and by corresponding provisions of earlier laws may be recovered by the commissioner in an action of contract brought in the name of the commonwealth, or by an information in equity brought in the supreme judicial court by the attorney general at the relation of the commissioner. In a proceeding under this section for the collection of taxes imposed by this chapter, the determination by the commissioner under section twenty-seven of the amount of the tax shall be final as to such amount; but an executor, administrator, trustee, grantee, donee or survivor may show, in any proceeding brought against him under this section, any facts which would entitle him to an abatement under section twenty-seven, and a judgment or decree shall be entered for the amount of the tax so determined less the amount proved to have been assessed without authority of law, together with interest and costs. If upon an information brought hereunder the court shall find that any tax remains due, it shall order the executor, administrator, trustee, grantee, donee or survivor to pay the same, with interest and costs, and may award execution therefor in the manner and form provided in section thirty.

G. L. 65, § 33,
amended.

Additional
remedies for
recovery of
legacy and
succession
taxes.

SECTION 23. Section thirty-four of said chapter sixty-five is hereby amended by striking out, in the second and fifth lines, the words "state treasurer" and inserting in place thereof in each instance the word: — commissioner, — so as to read as follows: — *Section 34.* Penalties and forfeitures incurred under this chapter may be recovered by the commissioner in an action of contract brought in the name of the commonwealth, or by an information in equity brought in the supreme judicial court by the attorney general at the relation of the commissioner.

G. L. 65, § 34,
amended.

Taxation of
legacies and
successions.
Recovery of
penalties and
forfeitures.

SECTION 24. All the rights, powers, duties and obligations of the state treasurer relative to the collection of collateral legacy taxes under chapter fifteen of the Revised Laws, and acts in amendment thereof and in addition thereto, are hereby transferred to the commissioner of corporations and taxation.

Powers, duties,
etc., of state
treasurer as
to certain
collateral legacy
taxes trans-
ferred to
commissioner
of corporations
and taxation.

Time of taking effect, etc.

SECTION 25. This act shall take effect on January first, nineteen hundred and twenty-three, and all taxes committed to the state treasurer for collection prior to said date are hereby recommitted to the commissioner of corporations and taxation for collection.

Approved June 8, 1922.

Chap. 521 AN ACT PROVIDING RETIREMENT ALLOWANCES BASED ON ANNUITY AND PENSION CONTRIBUTIONS FOR EMPLOYEES OF THE CITY OF BOSTON OR OF THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

Boston retirement act, purpose, etc.

SECTION 1. This act shall be known as the Boston retirement act and its purpose is to improve the efficiency of the public service by the retirement of disabled or superannuated employees.

Definitions.

SECTION 2. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

"Retirement system".

(a) "Retirement system" shall mean the arrangement provided in this act, for the retirement of and payment of retirement allowances to employees as defined in paragraph (b) of this section.

"Employee".

(b) "Employee" shall mean any regular and permanent employee of the city of Boston or county of Suffolk (except teachers employed by the city of Boston in day schools conducted under sections one to twenty-four, inclusive, of chapter seventy-four of the General Laws) whose only or principal employment is in the service of the city of Boston or county of Suffolk, or any regular and permanent employee of this commonwealth whose compensation is wholly paid by the city of Boston or by the county of Suffolk, and the working superintendent and his employees of the index commissioners of the county of Suffolk.

"Prior service".

(c) "Prior service" shall mean service rendered as an employee prior to February first, nineteen hundred and twenty-three, and shall include service rendered as an employee of the Boston Transit Commission or of the former town of Hyde Park.

"Member".

(d) "Member" shall mean any employee included in the retirement system as provided in section five.

"New entrant".

(e) "New entrant" shall mean any person becoming an employee on or after February first, nineteen hundred and twenty-three, and any person who becomes a member on or after February first, nineteen hundred and twenty-four.

(f) "Accumulated deductions" shall mean the sum of all the amounts deducted from the compensation of a member and standing to his credit in the annuity savings fund together with regular interest thereon. "Accumulated deductions".

(g) "Annuity" shall mean the annual payments for life derived from the accumulated deductions of a member. "Annuity".

(h) "Pension" shall mean the annual payments for life derived from contributions made by the city. "Pension".

(i) "Regular interest" shall mean interest at four per centum per annum compounded annually. "Regular interest".

(j) "Regular compensation" shall mean the compensation determined by the head of the department for the individual service of each employee in that department. "Regular compensation".

SECTION 3. The retirement system shall be established on February first, nineteen hundred and twenty-three, and the system shall be known as the Boston Retirement System. Boston Retirement System, date of establishment.

SECTION 4. Within sixty days from the date that this act shall take effect, a retirement board of three persons for the retirement of the employees as defined by this act shall be created, consisting of the treasurer of the city of Boston, one person appointed by the mayor of the city of Boston, subject to the provisions of section nine of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, who shall serve until September first, nineteen hundred and twenty-four, and one person to be appointed by the other two members, who shall be a member of or eligible to membership in this retirement system, who shall serve until September first, nineteen hundred and twenty-five. Thereafter the term of office of a member other than the treasurer of the city of Boston shall be four years. Each member of the retirement board shall be paid ten dollars for each meeting he attends but not more than five hundred dollars in any one year. Retirement board, creation, membership, terms, etc.

The retirement board shall employ an executive officer and such actuarial, clerical and other assistants as may be necessary for the proper operation of the system established by this act. The funds to meet the cost of administering the retirement system established by this act shall be derived from appropriations of the city of Boston within the statutory tax limit. The retirement board shall, like other departments of the city, submit a budget to the mayor not later than February first of each year. Clerical assistance, etc.

SECTION 5. All persons who are employees on the date when this retirement system is established may become mem- Funds to administer system, how derived.

Retirement board to submit budget.

Membership in retirement system.

bers of the system. Every employee in service on said date, except an employee then covered by any other pension or retirement law of this commonwealth, shall, on the expiration of sixty days from said date, be considered to have become a member of this retirement system unless within that period he shall have sent notice in writing to the retirement board that he does not wish to join the system. Employees declining to join this retirement system within sixty days from the establishment of the system may thereafter be admitted to membership but no employee shall receive credit for prior service unless he applies for membership or becomes a member of the retirement system within one year from the date of the establishment of the system.

Employees covered by other pension or retirement laws, etc.

An employee who is covered by any other pension or retirement law of the commonwealth on the date when this retirement system is established shall not be considered to have become a member of this retirement system unless said employee shall then or thereafter make written application to join this system and shall therein waive and renounce all benefits of any other pension or retirement system supported wholly by the city of Boston or county of Suffolk, but no such employee shall receive credit for prior service unless he makes such application for membership within one year from the date of establishment of this system. If such an employee does not make such application and waive and renounce such benefits, he shall retain and enjoy said benefits without diminution or impairment.

Persons becoming employees after establishment of system to become members, etc.

All persons who become employees after the establishment of this system shall as a part of their employment become members of this retirement system and shall receive no other pension or retirement allowance from the city of Boston or the county of Suffolk.

Services of certain employees not members of system to terminate at age of seventy, etc.

On and after January first, nineteen hundred and twenty-six, the services of an employee, not a veteran of the Civil war, of the Spanish war or Philippine insurrection or the World war as defined in section fifty-six of chapter thirty-two of the General Laws, or not a member of the judiciary or not a teacher, who attains or has attained the age of seventy and who is not a member of this system, shall terminate forthwith.

Creation of certain funds.

SECTION 6. The funds hereby created are the annuity savings fund, the pension accumulation fund and the retirement reserve fund.

The annuity savings fund shall be the fund to which shall be paid the deductions from the compensation of members. The treasurer of the city of Boston shall withhold four per cent of the regular compensation due on each pay day to all employees who are members of this retirement system; provided, however, that a member who is a contributing member of the teachers' retirement fund, as established by chapter two hundred and thirty-seven of the acts of nineteen hundred, if he shall so request in writing to the treasurer, shall have his contributions to this retirement system reduced by the amount deducted from his salary under the provisions of said chapter two hundred and thirty-seven. The amounts so withheld shall be transferred immediately thereafter to the retirement board and credited to the account of each member so contributing and shall be paid into and become a part of said annuity savings fund.

Annuity savings fund.

Proviso.

The pension accumulation fund shall be the fund in which shall be accumulated the annual contributions which shall be made by the city. These annual contributions shall be such as shall be determined by actuarial computations on the basis of mortality and service tables approved by the retirement board as necessary to provide all pension payments on account of members of the retirement system and shall be paid by the treasurer of the city of Boston to the retirement board in such instalments and at such times as the retirement board shall require. These annual contributions shall consist of a normal and an accumulated liability contribution.

Pension accumulation fund.

The normal contribution shall be equal to such per centum of the annual compensation of all members as is computed to be sufficient to provide during the active service of the average new entrant for all pensions for which the city may be liable on his account.

Normal contribution.

The accumulated liability contribution shall be computed as a constant percentage of the total pay roll of all members and shall be sufficient to provide during the thirty year period immediately following the establishment of this system for all pensions to be paid on account of members who are entitled to credit for prior service when this system is established, which are not provided by the normal contributions made on their account. The accumulated liability contributions shall be at least equal to regular interest on the amount of the accumulated liability and shall be at least three per cent greater in amount each year than the amount for the

Accumulated liability contribution.

preceding year. The accumulated liability contributions shall be discontinued as soon as the accumulated liability has been liquidated.

Retirement
reserve fund.

The retirement reserve fund shall be the fund to which upon the retirement of any member shall be transferred:

(a) From the annuity savings fund the accumulated deductions of the member, and

(b) From the pension accumulation fund an amount equal to his accumulated deductions, and

(c) From the pension accumulation fund in the case of the accidental death or the retirement of a new entrant an amount sufficient to provide the pension payable on his account not covered by paragraph (b).

Payments
from annuity
savings fund.

SECTION 7. From the annuity savings fund shall be paid the accumulated deductions of all members leaving the service, except by retirement.

From retire-
ment reserve
fund.

From the retirement reserve fund shall be paid all annuities and all pensions equal to the annuities and in the case of new entrants all pensions payable on their account.

From pension
accumulation
fund.

From the pension accumulation fund shall be paid in case of members who are entitled to credit for prior service all pensions payable on their account which are not payable from the retirement reserve fund.

Investment of
funds.

SECTION 8. The retirement board is authorized to invest the funds of the retirement system in such securities as are allowed for investment by the sinking fund commissioners of the city of Boston.

Allowance of
interest, etc.

The retirement board shall annually allow regular interest on the average balance for the preceding year to the credit of the various funds from the interest and dividends earned from investments. Any excess earnings over the amount so credited shall be used in reducing the amount of contributions required of the city of Boston during the ensuing year. Any deficiency shall be paid by the city of Boston during the ensuing year.

Use of excess
earnings.

Payment of
deficiency.

Retirement for
superannuation
at age of sixty.

SECTION 9. A member of this retirement system who shall have attained age sixty shall, upon his own application be retired for superannuation within thirty days after the filing of such application, or he may, and if he is a member of the police force he shall, upon the application of the head of his department be retired for superannuation by the retirement board. A member, other than a member of the police force, whose retirement is applied for by the head of his department shall be entitled to a notice of such application and to a hear-

Notice and
hearing to
certain
members.

ing before the retirement board provided he requests such hearing in writing within ten days of the receipt of such notice. Proviso.

A member of this retirement system who shall have attained age seventy shall be retired for superannuation within thirty days, except members of the judiciary, and except that a school teacher shall be retired on the thirty-first day of August following his attaining the age of seventy. Retirement for superannuation at age of seventy.

SECTION 10. Upon retirement for superannuation a member of the retirement system shall receive a retirement allowance consisting of: Retirement allowance upon retirement for superannuation.

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

(b) A pension equal to the annuity, and

(c) If a member was an employee at the time the system was established and became a member within one year thereafter and has not since become a new entrant, an additional pension having an actuarial value equivalent to twice the contributions which he would have made during his prior service had the system then been in operation, together with regular interest thereon. The total pension of any member payable under the provisions of this section shall not exceed one half of the average annual compensation received by him during the five years immediately preceding his retirement.

SECTION 11. Retirement for ordinary disability shall be made by the retirement board upon the application of the head of the department in which the member is employed or of the member or a person acting in his behalf, stating that said member is physically or mentally incapacitated for the performance of duty and ought to be retired; provided, that said member has not attained age sixty and has had fifteen or more years of city or county service next preceding his application and that the medical board, after examination, shall report that said member is physically or mentally incapacitated for the performance of duty and that he should be retired. Retirement for ordinary disability.

SECTION 12. Upon retirement for ordinary disability a member shall receive a retirement allowance consisting of: Proviso.

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and Retirement allowance upon retirement for ordinary disability.

(b) A pension equal to the annuity but not to exceed ninety per cent of the pension that would have been provided at age sixty, and

(c) An additional pension of such an amount as would together with the pension under (b) of this section make up a total pension of ninety per cent of the pension that would have been provided by the city for the member had he remained without further change of compensation in the service of the city or county until he reached age sixty and retired.

Retirement for
accidental
disability.

SECTION 13. Retirement for accidental disability shall be made by the retirement board upon the application of the head of the department in which the member is employed or of the member or of a person acting in his behalf, stating that said member is physically or mentally incapacitated for the performance of duty as the result of an accident occurring during the performance and within the scope of his duty and certifying the time, place and conditions of such service performed by said member resulting in such alleged disability, and that such alleged disability was not the result of contributory negligence on the part of said member and that he ought to be retired; provided, that the medical board after examination shall report that said member is physically or mentally incapacitated for the performance of duty as a natural and proximate result of an accident occurring in the performance and within the scope of his duty and that such disability is not the result of contributory negligence on the part of said member and that said member should be retired.

Proviso.

Retirement
allowance upon
retirement for
accidental dis-
ability.

SECTION 14. Upon retirement for accidental disability a member shall receive a retirement allowance consisting of:

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

(b) A pension equal to the annuity, and

(c) An additional pension of such an amount as will, together with the annuity and pension, be equal to three fourths of the annual compensation received by him during the year immediately preceding the date of the accident.

Accidental
death benefit.

SECTION 15. An accidental death benefit shall be granted by the retirement board upon application by the head of the department in which the member was employed, or of a person acting in behalf of the member and upon proof that he was killed in or died as the result of an accident while in the performance and within the scope of his duty. Such accidental death benefit shall consist of:

(a) His accumulated deductions which shall be paid to his legal representative, and

(b) If he has dependents a pension equal to one half the annual compensation received by him during the year im-

mediately preceding the date of the accident, which pension shall be paid:

(1) To his widow during her widowhood, or

(2) If there be no widow or if the widow dies or remarries before every child of such deceased member shall have attained the age of eighteen years, then to his child or children under said age, divided in such manner as the retirement board in its discretion shall determine to continue as a joint and survivor pension until every such child dies or attains the age of eighteen years, or

(3) If there be no widow, or child under the age of eighteen years surviving such deceased member, then to either his dependent father or dependent mother as the retirement board in its discretion shall determine, to continue for life or until remarriage.

SECTION 16. Should a member cease to be an employee by resignation or discharge or for any reason other than death or retirement he shall be paid the amount of his accumulated deductions, and his membership in the retirement system shall thereupon cease. Should a member die while an employee his accumulated deductions shall be paid to his legal representative.

Payment to member ceasing to be employee for reason other than death or retirement.

Payment in case of death of member while employee.

SECTION 17. With the condition that no optional selection shall become effective in case a member dies within thirty days after filing his application for retirement, until the first payment on account of any retirement allowance is made, the member or if he be an incompetent then his wife, or if he have no wife, a conservator, may elect to receive in lieu of the retirement allowance provided for in this system a lesser retirement allowance payable throughout life with the provision that:

Election to receive in lieu of retirement allowance provided for in system a lesser retirement allowance payable throughout life with optional provisions.

Option 1. If he die before he has received in payments the present value of his retirement allowance as it was at the time of his retirement, the balance shall be paid to his legal representative or to such person having an insurable interest in his life as he, his wife or conservator shall have nominated by written designation duly acknowledged and filed with the retirement board; or

Option 2. Upon his death his retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he, his wife or conservator, shall have nominated by written designation duly acknowledged and filed with the retirement board at the time of his retirement; or

Option 3. Upon his death one half his retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he, his wife or conservator, shall have nominated by written designation duly acknowledged and filed with the retirement board at the time of his retirement.

Medical board,
appointment,
terms, duties,
etc.

SECTION 18. There shall be a medical board of three physicians, one of whom shall be a surgeon, one a medical practitioner and one a neurologist, appointed by the trustees of the Boston city hospital on nominations made by the senior medical staff of said hospital, one of whom shall be appointed for one year, one for two years and one for three years and thereafter as the terms of office expire in each year one member for three years. The compensation of the members of the medical board shall be fixed by the retirement board with the approval of the mayor. The medical board shall arrange for and pass upon all medical examinations required under the provisions of this act and shall report in writing to the retirement board its conclusions and recommendations thereon.

Annual medical
examination of
persons under
age sixty re-
tired for dis-
ability.

SECTION 19. Once each year the retirement board shall require every person under age sixty who was retired for disability to submit to a medical examination to be made at a place designated by the medical board. Upon the completion of such examination the medical board shall report and certify to the retirement board whether said beneficiary is still incapacitated physically or mentally for service in the department of the city or county where he was employed and of the rank or rating held by him when retired for disability.

Cessation of
disability,
cessation of
retirement
allowance,
restoration to
service, etc.

If the medical board shall find that the disability for which the member was retired has ceased, or if the member fails to submit to said examination, his retirement allowance shall cease. Should the disability for which a member was retired upon application of the head of the department in which he was employed cease, he shall be restored to the department from which he was retired at the same rank and salary which he had when he was retired. Should the retirement allowance of any disability beneficiary be cancelled as provided in this section without his restoration to service the reserve on his pension in the retirement reserve fund shall be transferred to the pension accumulation fund and the reserve on his annuity in the retirement reserve fund shall be paid to him. Should a disability beneficiary be restored to active service as provided in this section, the reserve on his pension in the

retirement reserve fund shall be transferred to the pension accumulation fund and the reserve on his annuity in the retirement reserve fund shall be transferred to his credit in the annuity savings fund and he shall then become again a member of the retirement system. When next retired his retirement allowance shall be based upon his service period preceding his first retirement together with the service period from the date of his restoration to city or county service to the date of his final retirement.

SECTION 20. The retirement board shall prepare and publish an annual report which shall also be printed in the city record of the city of Boston showing the valuation of the assets and liabilities of the funds created by this act and a statement as to the accumulated cash and securities of the funds as certified by the city auditor and city treasurer and shall set forth in such report such other facts, recommendations and data as may be of value to the members of the retirement system and the city of Boston.

Retirement board to prepare and publish annual report, etc.

The retirement board shall collect and keep in convenient form such data as shall be necessary for the preparation of the mortality and service table and for the compilation of such other information as shall be necessary for the actuarial valuation of the assets and liabilities of the system.

To collect data, etc.

In the five year period beginning with the year nineteen hundred and twenty-three and in every five year period thereafter the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the system and shall make a valuation of the assets and liabilities of the funds and taking into account the result of such investigation the retirement board shall:

Actuarial investigations, valuation of assets and liabilities of funds, etc.

(a) Adopt for the system such mortality, service and other tables as shall be deemed necessary, and

Retirement board to adopt mortality, etc., tables.

(b) Certify the rates of contribution payable by the city of Boston under the provisions of this act.

To certify rates of contribution payable by Boston, etc.

On or before the establishment of the retirement system the actuary shall recommend to the retirement board appropriate tables for use as a basis for making actuarial calculations preliminary to the preparation of tables based on the experience of members after the establishment of the system.

Actuary to recommend tables for making actuarial calculations, etc.

By the use of the mortality and service tables which shall be adopted from time to time, the actuary shall prepare annually a valuation of the assets and liabilities of the retirement system for publication in the annual report.

To prepare for publication valuation of assets and liabilities of system.

Rules and regulations.

SECTION 21. The retirement board may make such rules and regulations consistent with the terms of this act as it may deem necessary to carry out the provisions of this act.

Pensions and annuities payable in monthly instalments.

SECTION 22. Pensions and annuities under the provisions of this act shall be payable in equal monthly instalments.

Exemption from taxation, attachments and assignments.

SECTION 23. The pensions, annuities and retirement allowances and the accumulated deductions and the cash and securities in the funds created by this act are hereby exempted from any state or municipal tax and shall not be subject to executions or attachments by trustee process or otherwise, in law or in equity, or under any other process whatsoever, and shall be non-assignable except as specifically provided in this act.

Estimate of amounts to be paid by city of Boston and county of Suffolk to funds, etc.

SECTION 24. The retirement board shall estimate the aggregate amount to be paid by the city of Boston and the county of Suffolk to the various funds created under the provisions of the act for each fiscal year of the city of Boston, and shall submit said estimate to the mayor of the city of Boston not later than July first in each year.

Said amounts, how to be obtained, etc.

SECTION 25. The amounts necessary to pay the contributions of the city of Boston and county of Suffolk to the various funds created under the provisions of this act shall be obtained from funds raised by taxation and shall not be subject to the statutory tax limit of the city for municipal purposes.

Offset of amounts paid, etc., by city of Boston under workmen's compensation law.

SECTION 26. Any amounts paid or payable by the city of Boston under the provisions of the workmen's compensation law to a member or to the dependents of a member on account of death or disability shall be offset against and payable in lieu of any benefits payable out of funds provided by the city of Boston under the provisions of this act on account of the death or disability of a member. If the value of the total commuted benefits under the workmen's compensation law is less than the reserve on the pension otherwise payable under this act, the value of such commuted payments shall be deducted from such pension reserve and such benefits as may be provided by the pension reserve so reduced shall be payable under the provisions of this act.

Pensioners not to be paid for services to city of Boston or county of Suffolk, except, etc.

SECTION 27. No person who was a member of the retirement system and who receives a retirement allowance under the retirement system shall be paid for any service, except service as a juror, and such service as he may be called upon to perform in the police or fire department in a time of public emergency, rendered by him to the city of Boston or county

of Suffolk after the date of the first payment of such retirement allowance.

SECTION 28. The supreme judicial court shall have jurisdiction in equity upon the petition of the retirement board or any interested party to compel the observance and restrain violation of this act and the rules and regulations established thereunder.

Jurisdiction of supreme judicial court.

SECTION 29. If it is impracticable for the retirement board to determine the exact length of service or amount of salary, pay or compensation of any member, the same shall be estimated by the retirement board.

Estimation of length of service, etc.

SECTION 30. The school committee of the city of Boston shall determine the regular compensation paid school janitors. Such regular compensation shall be such part or the whole of the amount paid a school janitor by the city of Boston under the method now used in determining the cost of janitors' services in the public school buildings as is retained by a janitor for his own services as fixed by the school committee.

Compensation of school janitors, etc.

SECTION 31. Nothing contained in this act shall affect the right or power of the city of Boston, the school committee of the city of Boston, the county of Suffolk or the police commissioner of the city of Boston in regard to demotion, transfer, suspension or discharge of any employee.

Certain rights as to demotion, discharge, etc., of employees not affected.

SECTION 32. All acts or parts of acts inconsistent herewith are hereby repealed. Nothing herein contained shall be construed as affecting the provisions of sections forty-nine to sixty, inclusive, of chapter thirty-two of the General Laws, nor of chapter two hundred and eighty-nine of the Special Acts of nineteen hundred and sixteen.

Inconsistent acts repealed. Certain provisions of law not affected.

SECTION 33. Section sixteen of chapter thirty-two of the General Laws is hereby amended by inserting after the words "nineteen hundred and ten" in the sixth line the words: —

G. L. 32, § 16, par. (1), amended.

or the Boston Retirement Act of nineteen hundred and twenty-two, — so that paragraph (1) will read as follows: —
Section 16. (1) Whenever, after July first, nineteen hundred and fourteen, a town retires a teacher who is not eligible to a pension under section ten, paragraph (4) and pays to such teacher a pension in accordance with section forty-three, or chapter five hundred and eighty-nine of the acts of nineteen hundred and eight, as amended by chapter six hundred and seventeen of the acts of nineteen hundred and ten, or the Boston Retirement Act of nineteen hundred and twenty-two, and the school committee of said town certifies under oath

Reimbursement of cities and towns for retirement of teachers.

Proviso.

to the board the amount of said pension, said town shall be reimbursed therefor annually by the commonwealth; provided, that no such reimbursement shall be granted unless the retirement has been approved by the board and the amount of said reimbursement shall not be in excess of the amount, as determined by the board, to which said teacher would have been entitled as a pension, had he been a member of the association.

To be submitted to mayor and city council of Boston.
Proviso.

SECTION 34. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston; provided, such acceptance occurs prior to September first in the current year.

Approved June 8, 1922.

Chap. 522 AN ACT PROVIDING FOR THE APPOINTMENT OF JAMES J. MURPHY AS A MEMBER OF THE POLICE FORCE OF THE TOWN OF EASTHAMPTON.

Be it enacted, etc., as follows:

Town of Easthampton, appointment of James J. Murphy as member of police force.

The selectmen of the town of Easthampton are hereby authorized to appoint James J. Murphy of said town as a member of its police force without civil service examination and notwithstanding any provisions of the civil service laws and the rules and regulations made thereunder. Upon such appointment, said Murphy shall hold office subject to the civil service laws and the rules and regulations made thereunder.

Approved June 8, 1922.

Chap. 523 AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE ANNUAL DISTRICT MEETING OF THE NORTH EASTON VILLAGE DISTRICT.

Be it enacted, etc., as follows:

Certain proceedings of annual district meeting of North Easton Village District validated.

SECTION 1. The acts and proceedings of the North Easton Village District at its annual district meeting held April third, nineteen hundred and twenty-two, whereby it voted to raise and appropriate certain sums of money for the extension of its water supply system are hereby validated and confirmed, notwithstanding the provisions of chapter one hundred and sixty-nine of the acts of eighteen hundred and eighty-seven.

SECTION 2. This act shall take effect upon its passage.

Approved June 8, 1922.

AN ACT RELATIVE TO THE DEFINITION AND SALE OF VINEGAR. *Chap. 524*

Whereas, An emergency exists due to an unusual form of adulteration of vinegar not specifically controlled by statute, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter ninety-four of the General Laws is hereby amended by striking out section one hundred and sixty-three and inserting in place thereof the following: — *Section 163.* Vinegar is hereby defined as being the result of alcoholic and subsequent acetous fermentation of natural fruit juices or vegetable products. Vinegar shall contain no added or artificial coloring matter, and shall contain not less than four grams of acetic acid in each one hundred cubic centimeters. If vinegar contains any added or artificial coloring matter, or less than the required amount of acidity, or if it is other than the product of alcoholic and subsequent acetous fermentation of natural fruit juices or vegetable products, it shall be deemed to be adulterated.

G. L. 94, § 163,
amended.

Vinegar,
definition, etc.

When deemed
to be
adulterated.

Approved June 12, 1922.

AN ACT RELATIVE TO THE CUSTODY AND CONTROL OF THE SUFFOLK COUNTY COURT HOUSE. *Chap. 525*

Be it enacted, etc., as follows:

Section one of chapter four hundred and fifty-three of the acts of eighteen hundred and ninety-four is hereby amended by striking out at the beginning of said section the words "Upon the completion of the Suffolk county court house, erected in pursuance of chapter three hundred and seventy-seven of the acts of the year eighteen hundred and eighty-five", — by striking out, in the fourth line, the word "such" and inserting in place thereof the words: — the Suffolk county, — by striking out, in the fifth line, the words "justices of the supreme judicial court" and inserting in place thereof the words: — sheriff of Suffolk county, — by striking out, in the seventh line, the word "they" and inserting in place thereof the word: — he, — and by striking out, in the tenth line, the word "justices" and inserting in place thereof the word: — sheriff, — so as to read as follows: — *Section 1.* The care, custody and control of the Suffolk county court house

1894, 453, § 1,
amended.

Custody,
control, etc., of
Suffolk county
court house.

shall be in the sheriff of Suffolk county, who may, for this purpose, appoint a custodian and such other officers as he may deem necessary, determine their term of service, and may remove them and appoint others in their place. The compensation of such custodian and other officers shall be fixed by the said sheriff, and shall be paid by the city of Boston.

Approved June 12, 1922.

Chap. 526 AN ACT RELATIVE TO THE USE OF PUBLIC WAYS BY HEAVY VEHICLES AND OTHER HEAVY OBJECTS.

Be it enacted, etc., as follows:

G. L. 85, § 30,
amended.

Use of public
ways by heavy
vehicles and
other heavy
objects regu-
lated.

Regulations as
to such use in
certain season
of year, etc.

Approval,
publication,
etc., of regula-
tions.

Chapter eighty-five of the General Laws is hereby amended by striking out section thirty and inserting in place thereof the following: — *Section 30.* No vehicle shall travel or object be moved on any public way which has any device attached to or made a part of its wheels or the rollers or other supports on which it rests, which will injure the surface of the way; nor shall any vehicle travel or object be moved on any public way which with its load weighs more than fourteen tons, without a permit from the board or officer having charge of such way. No vehicle shall travel or object be moved on any public way outside of the metropolitan parks or sewerage districts, the weight of which resting on the surface of such way exceeds eight hundred pounds upon any inch of the tire, roller or other support without such permit. Such permit may limit the time within which it shall be in force and the ways which may be used and may contain any provisions or conditions necessary for the protection of such ways from injury. If, in the opinion of the board or officer having charge of any public way, the travel or moving thereon at any season of the year of any vehicle or object which with its load weighs more than ten thousand pounds, would cause injury to such way more serious than the ordinary wear and tear which the type of construction of such way is designed to withstand, such board or officer may by regulation prohibit such vehicle or object from passing over such way during such season without a permit therefor. All such regulations shall, when affecting ways which are determined by the department of public works to be through routes, be subject to the approval of such department. Such regulations shall be published and shall take effect as provided in case of rules and orders under section twenty-two of chapter forty and shall be posted in a

conspicuous place at both ends of the part of said way from which traffic is prohibited thereby. Any person driving, operating or moving a vehicle or object in violation of this section or of any regulation adopted hereunder, or the owner thereof, shall be liable in tort to the body politic or corporate having charge of the way for any injury to the way thereby caused.

Liability for violations, etc.

Approved June 12, 1922.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE PARENTS OF JOHN JOSEPH KELLEY. Chap.527

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may pay a sum of money, not exceeding twenty-five hundred dollars, in weekly payments of fifteen dollars each, to John H. Kelley and Mary Kelley, parents of John Joseph Kelley, a minor, for the benefit of said John Joseph Kelley, who was permanently injured on December second, nineteen hundred and twenty, while a pupil at the Harvard grammar school in the said city.

City of Boston may pay sum of money to parents of John Joseph Kelley.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved June 12, 1922.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE SISTER OF THE LATE DANIEL J. McSHANE. Chap.528

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may pay to Lena McShane, the sister of the late Daniel J. McShane, formerly a police officer of said city, who was killed in the performance of his duty, an amount not to exceed three thousand dollars, in weekly payments of fifteen dollars each.

City of Boston may pay sum of money to sister of late Daniel J. McShane.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

To be submitted to city council, etc.
Proviso.

Approved June 12, 1922.

Chap.529 AN ACT PROVIDING FOR THE CONSTRUCTION OF ADDITIONAL SEWERS IN THE NORTH AND SOUTH METROPOLITAN SEWERAGE DISTRICTS.

Be it enacted, etc., as follows:

Metropolitan district commission may construct additional sewer in Woburn and Winchester as part of north metropolitan sewerage system.

SECTION 1. The metropolitan district commission is hereby authorized to construct, as a part of the north metropolitan sewerage system, an additional main sewer in Woburn and Winchester, and may expend for such purpose, including any expenditures on account of the purchase of land, or damages to land occasioned by the construction of the sewer, a sum not exceeding one hundred and fifty thousand dollars.

May construct new force main from Quincy station as part of south metropolitan sewerage system.

Said commission, as a part of the south metropolitan sewerage system, is hereby authorized to expend for the following purposes the following sums: For the construction of a new force main from the Quincy station, including any expenditures on account of the purchase of land, or damages to land occasioned by the construction of the main, a sum not exceeding sixty thousand dollars;

New pump, etc., at Quincy station.

For a new pump and other equipment at the Quincy station, a sum not exceeding fifteen thousand dollars;

Wellesley sewer extension, payment of certain land damages.

For the payment of certain land damages, occasioned by the construction of the Wellesley sewer extension, a sum not exceeding five thousand dollars.

State treasurer may issue bonds to meet expenditures, etc.

SECTION 2. To meet the expenditures authorized by section one, the state treasurer may issue, with the approval of the governor and council, bonds to an amount not exceeding one hundred and fifty thousand dollars to be designated on the face thereof, Metropolitan Sewerage Loan North System, and eighty thousand dollars to be designated, Metropolitan Sewerage Loan South System. Such bonds shall be issued as coupon or registered bonds for the term of forty years, as recommended by the governor in his budget message, under date of May twenty-seventh, nineteen hundred and twenty-two, and printed as house document number seventeen hundred and forty, and shall bear interest at such rate as shall be fixed by the state treasurer with the approval of the governor and council.

Approved June 12, 1922.

Chap.530 AN ACT AUTHORIZING THE TOWN OF IPSWICH TO INCUR INDEBTEDNESS FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

Town of Ipswich may borrow money

SECTION 1. For the purpose of making necessary changes in and extensions of its present water system, the town of

Ipswich may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Ipswich Water Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

for water supply purposes.

Ipswich Water Loan, Act of 1922.

SECTION 2. Said town shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with section one; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act shall, without further vote, be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred hereunder is extinguished.

Payment of loan.

SECTION 3. This act shall take effect upon its passage.

Approved June 13, 1922.

AN ACT PROVIDING FOR THE OMISSION, FOR THE CURRENT YEAR, OF THE SPECIAL STATE TAX TO PROVIDE SUITABLE RECOGNITION OF THOSE RESIDENTS OF MASSACHUSETTS WHO SERVED IN THE ARMY AND NAVY OF THE UNITED STATES DURING THE WAR WITH GERMANY. Chap. 531

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

So much of section five of chapter three hundred and forty-two of the General Acts of nineteen hundred and nineteen as provides that there be levied and assessed upon the cities and towns of the commonwealth for the year nineteen hundred and twenty-two a special state tax of six hundred and sixty thousand dollars is hereby repealed.

Omission, for present year, of special state tax to provide for "bonus", so-called, for soldiers, sailors, etc.

Approved June 13, 1922.

Chap. 532 AN ACT TO RELIEVE THE CONGESTED CONDITION OF THE
DOCKETS IN THE SUPREME JUDICIAL AND SUPERIOR
COURTS.

Be it enacted, etc., as follows:

G. L. 214, § 32,
amended.

Equity juris-
diction.
Transfer of
causes between
supreme
judicial court
and superior
and probate
courts.

SECTION 1. Chapter two hundred and fourteen of the General Laws is hereby amended by striking out section thirty-two and inserting in place thereof the following:—
Section 32. The supreme judicial court or a justice thereof may transfer for partial or final disposition in the superior court or in the probate court, respectively, any cause which is within the concurrent jurisdiction of said courts, respectively, and of the supreme judicial court, subject to appeal, exceptions or other proceedings in the nature of an appeal applicable to such case if originally brought in the court to which it is transferred. The supreme judicial court may also direct any cause which is within such concurrent jurisdiction to be transferred to the supreme judicial court in whole or in part for further action or directions, and in case of partial transfer may issue such orders or directions in regard to the part of such cause not so transferred as justice may require.

G. L. 214, § 33,
repealed.

SECTION 2. Section thirty-three of said chapter two hundred and fourteen is hereby repealed.

G. L. 212, § 1,
amended.

SECTION 3. Section one of chapter two hundred and twelve of the General Laws is hereby amended by striking out, in the second line, the word "twenty-seven" and inserting in place thereof the word:—twenty-nine,—so as to read as follows:—*Section 1.* The superior court shall consist of one chief justice and twenty-nine associate justices.

Superior court.
Number of
justices.

G. L. 212, § 3,
amended.

SECTION 4. Section three of said chapter two hundred and twelve is hereby amended by striking out, in the third and fourth lines, the words "of libels for divorce or for affirming or annulling marriage," so as to read as follows:—*Section 3.* The court shall have exclusive original jurisdiction of actions of contract, tort and replevin, except those of which other courts have concurrent original jurisdiction, of writs of entry for the foreclosure of mortgages, and of real and mixed actions, except those of which the land court or district courts have jurisdiction, of complaints for flowing lands, and of claims against the commonwealth.

Superior court.
Exclusive
jurisdiction.

G. L. 208, § 6,
etc., amended.

SECTION 5. Section six of chapter two hundred and eight of the General Laws, as amended by section one of chapter four hundred and sixty-six of the acts of nineteen hundred

and twenty-one, is hereby further amended by inserting after the word "court" in the third line the words: — or probate court, — and by striking out, in the last line, the word "the" and inserting in place thereof the word: — a, — so as to read as follows: — *Section 6.* Except as hereinafter provided, libels for divorce shall be filed, heard and determined in the superior court or probate court, held for the county where one of the parties lives, except that, if the libellant has left the county where the parties lived together and the libellee still lives therein, the libel shall be heard and determined in a court held for that county.

Libels for divorce.
Venue of libel.

SECTION 6. Said chapter two hundred and eight is hereby further amended by inserting after section six the following new section: — *Section 6A.* In this chapter, the words "justice of the superior court" shall include "judge of probate"; "superior court" or "court" shall include "probate court"; and "clerk" or "clerk of the court" shall include "register of probate".

G. L. 208, new section after § 6.

In this chapter certain words to include, etc.

The provisions of law relative to fees for the entry in the superior court of libels for divorce and for the service thereof shall apply in case such libels are brought in a probate court.

Entry fees for divorce libels brought in probate court.

SECTION 7. Section three of chapter two hundred and fifteen of the General Laws, as amended by section three of chapter four hundred and sixty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "eight" in the twelfth line the words: — ; of libels for divorce or for affirming or annulling marriage brought in the probate court, — so as to read as follows: — *Section 3.* Probate courts shall have jurisdiction of probate of wills, of granting administration on the estates of persons who at the time of their decease were inhabitants of or residents in their respective counties and of persons who die out of the commonwealth leaving estate to be administered within their respective counties; of the appointment of guardians and conservators; of all matters relative to the estates of such deceased persons and wards; of petitions for the adoption of children, and for change of names; of divorce cases transferred from the superior court under the provisions of section nine A of chapter two hundred and eight; of libels for divorce or for affirming or annulling marriage brought in the probate court; and of such other matters as have been or may be placed within their jurisdiction.

G. L. 215, § 3, etc., amended.

Probate courts. Jurisdiction in general.

SECTION 8. Chapter two hundred and thirty-one of the General Laws is hereby amended by inserting after section

G. L. 231, new sections after § 110.

Pleading and practice. Certain provisions of law applicable to municipal court of city of Boston to apply to all other district courts, except, etc.

Appellate division of district courts, powers, duties, etc.

Assignment of justices to appellate division of district courts.

one hundred and ten the following three new sections:—
Section 110A. Sections one hundred and three, one hundred and four except so much thereof as requires a removal bond, and one hundred and five, the last sentence of section one hundred and seven, and sections one hundred and nine and one hundred and ten, applicable to the municipal court of the city of Boston, shall apply to all other district courts, except that appeals to the supreme judicial court arising in any county shall be heard at the same sittings as other questions of law arising in such county. *Section 110B.* In addition to the appellate division of the municipal court of the city of Boston provided for by section one hundred and eight, there shall be an appellate division of each of the other district courts for the rehearing of matters of law arising in civil causes therein. Any party to a cause brought after September thirtieth, nineteen hundred and twenty-two, who is aggrieved by any ruling on a matter of law by a single justice, may, as of right, have the ruling reported for determination by the appellate division when the cause is otherwise ripe for judgment, or sooner by consent of the justice hearing the same. The request for such a report shall be filed with the clerk within two days after notice of the ruling, and when the objection is to the admission or exclusion of evidence, the claim for a report shall also be made known at the time of the ruling. If the appellate division shall decide that there has been no prejudicial error in the ruling complained of, it shall dismiss the report, and may impose double costs in the action if it finds the objection to such ruling to be frivolous or intended for delay. If the appellate division shall decide that there has been prejudicial error in the ruling complained of, it may reverse, vacate or modify the same, or order a new trial in whole or in part. If the party claiming such report shall not duly prosecute the same, by preparing the necessary papers or otherwise, the appellate division may order the cause to proceed as though no such claim had been made, and may in like manner impose costs. *Section 110C.* Such appellate division shall be holden by justices of district courts, not exceeding three in number out of five justices assigned to the performance of such duty by the chief justice of the supreme judicial court, but no justice shall sit upon the review of his own rulings. Such assignment may be made for such period of time as such chief justice may deem advisable. Such chief justice shall assign five justices of courts within the counties of Essex and Middlesex and that part

of Suffolk included in the jurisdiction of the East Boston district court, the district court of Chelsea, the municipal court of the Charlestown district, the municipal court of the Brighton district, the municipal court of the Dorchester district, the municipal court of the Roxbury district, and the municipal court of the South Boston district, to act in the appellate divisions of courts within those counties and that part of Suffolk county; shall assign five justices of courts within the counties of Norfolk, Plymouth, Barnstable, Bristol, Dukes and Nantucket and that part of Suffolk included in the jurisdiction of the municipal court of the West Roxbury district, to act in the appellate divisions of courts within those counties and that part of Suffolk county; and shall assign five justices of courts within the counties of Worcester, Franklin, Hampshire, Hampden and Berkshire to act in the appellate divisions of courts within those counties. In each of the foregoing three districts one of the justices so assigned shall be designated by the chief justice of the supreme judicial court as presiding justice, who shall from time to time designate those of the appellate justices who shall act on appeals in any court and direct the times and places of sittings. Two justices shall constitute a quorum to decide all matters in an appellate division.

Presiding justice.

Quorum.

A justice acting in the appellate division of a court other than the court of which he is a justice shall be allowed in addition to his compensation as such justice the sum of fifteen dollars for each day he so acts, and his necessary traveling expenses, to be paid by the county in which he so acts, upon his certificate approved by the county commissioners; and no deduction shall be made from the compensation of such justice under section six of chapter two hundred and eighteen on account of compensation paid to a special justice of his court for service at any session which such justice is unable to hold by reason of so acting.

Additional compensation for justices acting in appellate division, etc.

SECTION 9. Section forty-three of chapter two hundred and eighteen of the General Laws is hereby amended by inserting after the word "actions" in the fifth line the words: — , the preparation and submission of reports, the allowance of reports which a justice shall disallow as not conformable to the facts, or shall fail to allow by reason of physical or mental disability, death or resignation, the granting of new trials, — so as to read as follows: — *Section 43.* The justices, or a majority of them, of all the district courts, except the municipal court of the city of Boston, shall from time to

G. L. 218, § 43, amended.

Uniform rules of district courts.

time make and promulgate uniform rules regulating the time for the entry of writs, processes and appearances, the filing of answers and for holding trials in civil actions, the preparation and submission of reports, the allowance of reports which a justice shall disallow as not conformable to the facts, or shall fail to allow by reason of physical or mental disability, death or resignation, the granting of new trials, and the practice and manner of conducting business in cases which are not expressly provided for by law, including juvenile proceedings and those relating to wayward, delinquent and neglected children.

SECTION 10. Said chapter two hundred and eighteen is hereby further amended by inserting after section forty-three the following new section: — *Section 43A.* There shall be an administrative committee of district courts, which shall consist of the three presiding justices for the time being assigned by the chief justice of the supreme judicial court to act in the appellate divisions as provided in section one hundred and ten C of chapter two hundred and thirty-one. The committee shall be authorized to visit any district court, other than the municipal court of the city of Boston, as a committee or by sub-committee, to recommend uniform practices, forms of blanks and records, and to superintend the keeping of records by clerks.

The members of the committee shall be allowed the necessary expenses incurred in the performance of their duties, subject to the approval of the governor and council, and shall receive such compensation for their services actually performed in the work of such committee as the governor and council shall approve, to be paid from the treasury of the commonwealth.

To promote co-ordination in the work of the courts, the administrative committee may call a conference of any or all of the justices of the district courts, including the municipal court of the city of Boston, or of other officials connected with such courts, and the traveling expenses of such justices or officials for attending any such conferences shall be paid as the other expenses of the respective courts are paid.

SECTION 11. Section sixteen of chapter two hundred and twelve of the General Laws is hereby amended by striking out, in the fourth and fifth lines, the words “, or on removal from the municipal court of the city of Boston” and inserting in place thereof the words: — or removal, — so as to read

G. L. 218, new section after § 43.

Administrative committee of district courts, powers, duties, etc.

Allowance for expenses, compensation, etc.

Conferences of justices, etc., of district courts to promote co-ordination in work of courts.

G. L. 212, § 16, amended.

as follows:—*Section 16.* The court shall, except in July, August and September, hold a separate and continuous session, so far as is practicable, in Suffolk county for the speedy trial of causes advanced for speedy trial according to law, of causes entered in said court on appeal or removal, of actions of contract originally commenced in the superior court in which the amount demanded does not exceed two thousand dollars, and, upon the application of either party, of actions in which a new trial by jury has been granted or an auditor's report has been filed, and of all other cases in which, in the opinion of a justice of said court, substantial justice and relief require a speedy trial. A trial list of such cases shall be made every month.

Speedy trials
by superior
court in Suffolk
county.

SECTION 12. Section ninety-seven of chapter two hundred and thirty-one of the General Laws is hereby amended by striking out, in the first and second lines, the words "as to the municipal court of the city of Boston", so as to read as follows:—*Section 97.* Except as otherwise provided, a party aggrieved by the judgment of a district court in a civil action, unless a written waiver of the right of appeal has been filed by all the parties, may, within twenty-four hours after entry of a judgment rendered in accordance with section three of chapter two hundred and thirty-nine and in any other case within six days after the entry of the judgment, appeal therefrom to the superior court. In such case, no execution shall issue on the judgment appealed from. The case shall be entered in the superior court for the same county at the return day next after the appeal has been taken and shall be there tried and determined as if originally commenced there. In an action founded upon a liability which is joint, if some but not all of the defendants appeal, the case shall nevertheless be transferred as against all, and such judgment shall be entered in the superior court as justice may require; but a co-defendant who has not joined in the appeal shall not be liable for costs arising after the appeal was taken.

G. L. 231, § 97,
amended.

Pleading and
practice.
Appeal to
superior court.

SECTION 12A. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section nineteen and inserting in place thereof the following:—*Section 19.* District courts shall have original jurisdiction concurrent with the superior court of actions of contract, tort or replevin where the debt or damages demanded or the value of the property alleged to be detained does not exceed three thousand dollars and also of actions of summary process

G. L. 218, § 19,
amended.

District courts.
Civil jurisdiction
in general.

under chapter two hundred and thirty-nine, and proceedings under section forty-one of chapter two hundred and thirty-one.

Time of taking effect.

SECTION 13. This act shall take effect on October first, nineteen hundred and twenty-two; except that section three shall take effect upon its passage.

Approved June 13, 1922.

Chap.533 AN ACT PROVIDING FOR THE APPOINTMENT OF A SPECIAL MASTER BY THE SUPERIOR COURT.

Be it enacted, etc., as follows:

G. L. 212, new section after § 19.

Special master, appointment by superior court, salary, duties, etc.

Chapter two hundred and twelve of the General Laws is hereby amended by inserting after section nineteen the following new section: — *Section 19A.* The justices of the superior court may appoint for a term of five years, and may at any time for cause remove, a special master, who shall receive from the commonwealth a salary of five thousand dollars. He shall perform such administrative duties pertaining to the court and shall hear and dispose of such interlocutory matters relating to the assignment, postponement, continuance and order of trial of cases, at such times and places as the chief justice of said court may determine. Every order or decision of said master shall be subject to appeal to the court and the appellant shall be granted an immediate hearing.

Approved June 13, 1922.

Chap.534 AN ACT REGULATING THE OPERATION OF AIRCRAFT.

Be it enacted, etc., as follows:

G. L. 90, §§ 35-43, amended.

Operation of aircraft regulated.
Definitions.

SECTION 1. Chapter ninety of the General Laws is hereby amended by striking out sections thirty-five to forty-three, inclusive, and inserting in place thereof the following: — *Section 35.* The following words and phrases used in sections thirty-five to fifty-nine, inclusive, shall have the following meanings, unless a different meaning is clearly apparent from the language or context or unless such construction is inconsistent with the manifest intention of the legislature.

“Commercial flying”, any flight or attempted flight in which passengers or merchandise are carried or in which any other service is performed by the pilot or aircraft, for compensation or hire.

“Private flying”, all flying other than commercial flying or flying conducted by a department or other agency of the United States or of the commonwealth.

"Interstate commercial flying", commercial flying in which the contract of hire requires in substance that the aircraft cross the borders of the commonwealth into or from another state.

"Interstate private flying", private flying wherein the aircraft cross the borders of the commonwealth into or from another state.

Section 36. All applications for licenses and registrations, or renewals thereof, under sections thirty-five to fifty-nine, inclusive, shall be under oath and accompanied by the proper fee and shall be made to the registrar, who may license any competent person as an aircraft pilot and may register suitable aircraft, in accordance with said sections. Except as hereinafter provided, no person shall operate or attempt to operate any aircraft within the commonwealth unless licensed so to do and unless such aircraft is properly registered.

Licensing of aircraft pilots and registration of aircraft, applications, oath, fee, etc.

LICENSES.

Section 37. The registrar shall appoint an advisory board of aeronautical experts, which shall consist of at least three members, to hold office at his pleasure. Such board shall ascertain whether applicants are competent to receive the licenses for which they apply and whether aircraft are suitable for the purposes for which registration thereof is sought. *Section 38.* Any person applying for a pilot's license shall, if requested by the advisory board, make one or more flights in an aircraft furnished by the applicant at a time and place approved by the board. The board shall determine the competency of the applicant as a pilot from the results of such flights and from the information in the sworn statements contained in his application. *Section 39.* Each pilot's license shall be designated as either private or commercial. A commercial license shall entitle the licensee to engage in commercial flying and in private flying. A private license shall entitle the licensee to engage in private flying only. In addition to the above designation, each license shall contain a statement of any limitation or restriction on the size or type or types of aircraft which may be operated thereunder. *Section 40.* A pilot's license shall expire one year from the date of its issue. Applications for renewal may be made before the date of expiration in such manner as the registrar directs.

Advisory board of aeronautical experts, appointment, duties, etc.

Applicants to make flights, etc.

Competency, how determined.

Pilot's license to be private or commercial, etc.

Expiration of license and application for renewal.

The fee for a license or for a renewal thereof shall be five dollars. Each initial application for a license shall also be

Fees.

License not
required of
certain
persons.

accompanied by a fee of five dollars for examination. If the applicant is not licensed the license fee, but not the examination fee, shall be refunded. *Section 41.* No such license shall be required in the case of any aviator while in the flying service of the United States or of the commonwealth, or of any person licensed by competent federal authority, whether engaged in private or commercial flying. A non-resident temporarily engaged in private flying only need not be licensed provided he is authorized to engage in such flying in the state of his residence. A non-resident pilot engaged in commercial flying, unless he is engaged chiefly in interstate commercial flying and has complied with all requirements of the federal government and of the state of his residence, shall be licensed before operating within the commonwealth.

Operation of
aircraft by
unlicensed
persons
accompanied
by licensed
pilot, etc.

A person not licensed or authorized under any provision of this and the six foregoing sections may operate an aircraft if accompanied by a pilot licensed or authorized to operate such aircraft; but such licensed or authorized pilot shall be liable for a violation of any provision of sections forty-nine to fifty-nine, inclusive, or of any rule or regulation made thereunder, committed by such unlicensed or otherwise unauthorized person while so accompanied; provided, however, that nothing in this section shall be construed to impose any liability upon a passenger in a commercial aircraft who was not aware that the pilot was unlicensed or unauthorized.

Proviso.

Operation of
aircraft by
unlicensed
pilot for in-
struction
purposes, etc.

For the purposes of instruction in flying an unlicensed pilot may, with the consent of and under the observation of his instructor, who shall be a pilot licensed by the registrar, operate an aircraft over a field approved by the registrar or over open water. No unlicensed person shall accompany such unlicensed pilot in the same aircraft.

REGISTRATION.

Registration of
aircraft, appli-
cations, etc.

Section 42. Every application for the registration of an aircraft shall be made by the owner thereof. The application shall contain, in addition to such other particulars as are required by the registrar, a statement of the name, place of residence and local address, if any, of the applicant, together with a brief description of the aircraft sought to be registered.

Applicants to
have aircraft
operated and
exhibited, etc.

Section 43. Upon application for the registration of any aircraft, the applicant shall, at the request of the advisory board, have the aircraft operated by a pilot provided by the applicant. In addition, the aircraft shall be exhibited to the board, on the ground, in such manner and at such time and

place as shall be required by the board in order to make possible a careful examination of its construction. The board shall thereupon determine whether such air craft is suitable for registration. *Section 44.* Each aircraft registered shall be designated as either private or commercial. A commercial registration shall entitle the aircraft to be used in commercial flying, and, unless specifically restricted therefrom, in private flying. A private registration shall entitle the aircraft to be used in private flying only. *Section 45.* Except as hereinafter provided, each aircraft registered by the registrar shall be designated by a symbol consisting of a combination of letters or numbers, or both. The symbol of each aircraft shall be determined by the registrar at the time of registration. Before any registered aircraft is operated, the symbol of such aircraft shall be painted upon both vertical sides of the fuselage and upon the lower wing surface, in such color and shade as to be easily legible. On the lower wing surface the height of each letter shall be not less than three feet, except where the chord of the lower wing is less than three feet and nine inches, in which case the height shall be at least four fifths of the chord. On the fuselage, the height of the letters shall be not less than two feet and six inches. The exact form and arrangement of the letters and numbers shall be as specified by the registrar from time to time. If such designation is impracticable, the symbol shall be displayed in any other manner approved by the registrar. *Section 46.* All registrations shall expire upon the last day of each calendar year unless previously revoked by the registrar. Applications for renewal may be made before the date of expiration in such manner as the registrar directs. The fee for each registration or renewal shall be fifteen dollars. *Section 47.* No such registration shall be required in the case of any aircraft of the United States, of the commonwealth or of any aircraft registered by competent federal authority, nor shall such registration be required in case of any aircraft owned by a non-resident, operated by a non-resident pilot and engaged in interstate private flying; provided such aircraft shall have been authorized for such flying in the state of its owner's residence; but aircraft from outside the commonwealth shall be registered by the registrar before engaging in commercial flying within the commonwealth. *Section 48.* Unregistered aircraft may be operated over approved flying fields or large bodies of open water for the purpose of testing the machines or for experimental pur-

Aircraft to be designated private or commercial.

Registered aircraft to be designated by symbols, etc.

Expiration of registrations and applications for renewals.

Fees.

Registration not required in certain cases.

Proviso.

Operation of unregistered aircraft for experimental purposes, etc.

Proviso.

poses; provided such aircraft remain at all times close enough to such flying field or open water to return thereto by a glide having a mean slope of one foot descent for every five feet of horizontal travel. No unregistered experimental aircraft shall be operated at any altitude whatever over any thickly settled or business district or over any assemblage of persons. *Section 49.* The registrar may suspend, or after due hearing, revoke, a pilot's license,

Suspension or revocation of pilots' licenses.

(a) If, in the opinion of the registrar, the pilot has operated any aircraft in a manner dangerous to any person or has not used due care and caution while flying with passengers, even though not then engaged in commercial flying, or

(b) If the pilot exceeds his authority under his license, or

(c) Upon the use by the pilot of an unregistered aircraft, except as provided in section forty-seven or forty-eight, or

(d) For violation of any provision of sections fifty-two to fifty-four, inclusive, or

(e) For operating an aircraft after the damage referred to in section fifty has occurred and before full compliance with the provisions of said section.

The registrar shall suspend for at least three months, and may after due hearing revoke, the license of a pilot who has been found guilty of operating an aircraft while under the influence of liquor.

Suspension or revocation of registration of aircraft.

The registrar may suspend, or after due hearing, revoke, the registration of an aircraft,

(a) If it is used for any purpose not authorized by its registration, or

(b) Upon violation of any provision of section fifty or fifty-three.

Damage to registered aircraft to be reported to registrar, etc.

Action by the registrar under this section shall not relieve the licensee from further liability or penalty. *Section 50.* When any registered aircraft shall have been damaged in any structural part other than the engine or tires, such damage shall be reported to the registrar and, in the case of a commercial aircraft, such aircraft shall not again be operated until the damaged part has been replaced in whole by a suitable new part, or, if it is not so replaced, until the aircraft has been approved by the advisory board.

Where such damage occurs while the aircraft is outside the commonwealth, it must be reported before the aircraft is again operated within the commonwealth.

When any registered aircraft shall, in the opinion of the

Notice to owner when aircraft shall

advisory board, have become unfit for operation through deterioration or otherwise, notice thereof shall be given to the owner and such aircraft shall not again be operated until it has been repaired and has been approved by the advisory board. *Section 51.* No aircraft shall be operated over any open air assembly of persons, except by special permission of the registrar. No heavier-than-air aircraft shall be operated over such an assembly at an altitude of less than one thousand feet, or at an altitude which does not allow at least one thousand feet of vertical drop to every mile of horizontal distance required to reach a proper landing place in case of engine failure. *Section 52.* No aircraft engaged in commercial flying shall, while carrying passengers, be looped, deliberately spun, or otherwise caused to perform aerial acrobatics. This prohibition shall not apply to an aircraft while used for giving instruction in flying and shall not prevent an instructor from teaching acrobatic flying to a pupil, but in no case shall such flying be engaged in over thickly settled or business districts or where it might reasonably be expected to cause personal injury or fear thereof to persons below. *Section 53.* No aircraft registered in the commonwealth shall be used for the purpose of giving a public exhibition in which any person attempts a transfer from one airplane to another while in flight or between any airplane in flight and any other vehicle or the ground, nor shall any pilot licensed or authorized in the commonwealth take part in such an exhibition. No person shall throw or drop any missile or other article from any aircraft in flight except over grounds temporarily or permanently reserved for such purpose or over open water. Nothing in this section shall be construed to prohibit the use of parachutes as a means of safe descent. *Section 54.* The load carried by a registered aircraft shall not exceed that recommended by the manufacturer, except by permission of the registrar. *Section 55.* No pilot shall operate an aircraft over any thickly settled or business district at an altitude of less than three thousand feet, or over any building or person at an altitude of less than five hundred feet, except when necessary for the purpose of embarking or landing. *Section 56.* No person shall land any aircraft in a public way or public park without permission from the authorities in charge thereof. No person shall land any aircraft on any field in which there are ten or more persons unless such field contains a space free from persons and at least three hundred yards

have become unfit for operation, etc.

Operation of aircraft over open air assembly of persons regulated.

Aerial acrobatics, etc., by commercial aircraft regulated.

Public exhibitions of a person attempting to transfer from one airplane to another, etc., prohibited.

Throwing missiles, etc., from aircraft, regulated.

Use of parachutes permitted. Maximum load carried by aircraft. Minimum altitudes for flying in certain cases.

Landing of aircraft regulated.

Proviso.	<p>long in the direction of landing and at least one hundred yards wide, and in such case the landing shall be so made that the aircraft shall not at any time while on or within twenty feet of the ground pass within fifty yards of any person; provided, however, that this section shall not apply to fields regularly designated for use by aircraft as specified in section fifty-seven nor to fields the proper policing of which has been previously arranged. <i>Section 57.</i> Landing places for aircraft shall from time to time be designated, set apart and marked by the division or by other public officials in charge of any land owned or controlled by the commonwealth or by any city or town or by the metropolitan district commission, and said division or officials may make reasonable rules and regulations concerning the use of such landing places by pilots and may change the same from time to time. All pilots using such landing places shall at all times comply with the rules and regulations made as aforesaid. <i>Section 58.</i> The registrar may from time to time prepare rules and regulations consistent with sections thirty-five to fifty-nine, inclusive, governing the use, operation and registration of aircraft and the licensing of pilots thereof. Such rules and regulations shall be subject to approval, and shall take effect, in the manner provided by section six of chapter sixteen.</p>
Landing places to be designated, marked, etc.	
Registrar may prepare rules and regulations, etc.	
Appeal from regulations, rulings, etc., of registrar.	<p>Any person aggrieved by any regulation, ruling or decision of the registrar, relative to the use, operation and registration of aircraft or the licensing of pilots thereof, may appeal as provided in section twenty-eight and the provisions of said section shall apply to such appeal. <i>Section 59.</i> Whoever violates any provision of sections thirty-five to fifty-eight, inclusive, or any rule or regulation made thereunder, shall be punished by a fine of not less than ten nor more than five hundred dollars, or by imprisonment for not less than one month nor more than six months, or both.</p>
Penalties.	
G. L. 16, § 6, amended.	<p>SECTION 2. Section six of chapter sixteen of the General Laws is hereby amended by striking out, in the second line, the word "forty-one" and inserting in place thereof the word: — fifty-eight, — so as to read as follows: — <i>Section 6.</i> Except as otherwise provided by sections thirty-one and fifty-eight of chapter ninety and section sixty of chapter one hundred and forty, all rules and regulations within the jurisdiction of the division of highways or the division of waterways and public lands shall be drafted by the associate commissioners having charge of said division, shall be submitted</p>
Rules and regulations of department of public works.	

to the commissioner and associate commissioners sitting as a board, and shall take effect when approved by them, and at such time as they shall designate. Said board shall also have power to make all needful rules and regulations for carrying out the provisions of law relating to the department.

Approved June 13, 1922.

AN ACT RELATIVE TO CERTAIN PENALTIES FOR THE VIOLATION OF CERTAIN LAWS RELATING TO NARCOTIC DRUGS AND TO COMMITMENTS OF DRUG ADDICTS AND DIPSO-MANIACS. Chap. 535

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section two hundred and nine and inserting in place thereof the following: — *Section 209.* No person, not being a physician, dentist, nurse or veterinarian registered under the laws of this commonwealth or of the state where he resides, or a registered embalmer, manufacturer or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, registered pharmacist, manufacturer of surgical instruments, official of any government having possession of the articles hereinafter mentioned by reason of his official duties, nurse acting under the direction of a physician, employee of an incorporated hospital acting under the direction of its superintendent or officer in immediate charge, or a carrier or messenger engaged in the transportation of such articles, shall have in his possession a hypodermic syringe, hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection. No such syringe, needle or instrument shall be delivered or sold to, or exchanged with, any person except a registered pharmacist, physician, dentist, veterinarian, registered embalmer, manufacturer or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, a nurse upon the written order of a physician, or an employee of an incorporated hospital upon the written order of its superintendent or officer in immediate charge. A record shall be kept by the person selling such syringe, needle or instrument, which shall give the date of the sale, the name and address of the purchaser and a description of the instrument. This record shall at all times be open to inspection by the department of public health, the boards of registration in medicine,

G. L. 94, § 209, amended.

Narcotic drugs. Possession of certain instruments regulated.

Record of sales to be kept, etc.

Penalty. veterinary medicine, and pharmacy and the board of dental examiners, authorized agents of said department and boards, and police authorities and police officers of towns. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment in a jail or house of correction for not more than two years, or both.

G. L. 94, § 210, amended. SECTION 2. Section two hundred and ten of said chapter ninety-four is hereby amended by striking out, in the fifth and sixth lines, the words "a fine of not more than one hundred dollars or by imprisonment for not more than one year", and inserting in place thereof the words:— imprisonment for not less than three months nor more than two years, — so as to read as follows:— *Section 210.* Each building, place or tenement which is resorted to by habitual users of narcotic drugs for the purpose of using such drugs, or which is used for the illegal keeping or sale of the same, shall be deemed a common nuisance. Whoever keeps or maintains such a common nuisance shall be punished by imprisonment for not less than three months nor more than two years.

Buildings, etc., illegally used deemed common nuisances. Penalty. G. L. 94, § 212, amended. SECTION 3. Said chapter ninety-four is hereby further amended by striking out section two hundred and twelve and inserting in place thereof the following:— *Section 212.* Whoever has in his possession a narcotic drug with intent unlawfully to sell and deliver or to exchange such drug, or any part thereof, or whoever unlawfully sells, furnishes, gives, delivers or exchanges any narcotic drug in violation of any provision of sections one hundred and ninety-eight to two hundred and thirteen, inclusive, shall be punished by imprisonment in the state prison for not more than five years, or in a jail or house of correction for not less than one year nor more than two and one half years.

G. L. 123, § 62, amended. SECTION 4. Section sixty-two of chapter one hundred and twenty-three of the General Laws is hereby amended by striking out, in the second and third lines, the words "the Norfolk state hospital", and inserting in place thereof the words:— the state farm, or to any other institution under the department of correction that may be designated by the governor, — so as to read as follows:— *Section 62.* Any of the judges named in section fifty, or a judge of the municipal court of the city of Boston, may commit to the state farm, or to any other institution under the department of correction that may be designated by the governor, to the McLean hospital, or to a private licensed institution, by an order of com-

Commitment of dipso-maniacs, etc.

mitment, directed to the trustees, superintendent, or manager thereof, as the case may be, made in accordance with section fifty-one, and accompanied by a certificate, in accordance with section fifty-three, by two physicians qualified as therein provided, any male or female person, who is subject to dipsomania or inebriety either in public or private, or who is so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control. The judge receiving the application for such commitment shall examine on oath the applicant and all other witnesses, and shall reduce the application to writing and cause it to be subscribed and sworn to by the applicant. He shall cause a summons and copy of the application to be served upon such person in the manner provided by section twenty-five of chapter two hundred and seventy-six. Such person shall be entitled to a hearing unless after receiving said summons he shall in writing waive a hearing, in which case the judge may issue an order for his immediate commitment as aforesaid, without a hearing, if he is of opinion that the person is a proper subject for custody and treatment in the institution to which he is committed. The commitment may be made forthwith, if the examining physicians certify the case to be one of emergency. A person committed as aforesaid may be detained for two years after the date of his commitment, and no longer.

Magistrate to examine applicant, etc., under oath, etc.

Hearing.

SECTION 5. Said chapter one hundred and twenty-three is hereby further amended by striking out section eighty and inserting in place thereof the following:— *Section 80.* The superintendent or manager of any institution to which commitments may be made under section sixty-two may, when requested by a physician, by a member of the board of health or a police officer of a town, by an agent of the institutions registration department of Boston, by a member of the state police, or by the wife, husband, guardian or, in the case of an unmarried person having no guardian, by the next of kin, receive and care for in such institution, as a patient for a period not exceeding fifteen days, any person needing immediate care and treatment because he has become so addicted to the intemperate use of narcotics or stimulants that he has lost the power of self-control. Such request for the admission of a patient shall be made in writing and filed at the institution at the time of his reception, or within twenty-four hours thereafter, together with a statement, in a form prescribed by the department having supervision of the institution, giving such information as it deems appropriate. The trustees, superin-

G. L. 123, § 80, amended.

Temporary care of persons addicted to intemperate use of narcotics, etc.

Record to be kept, etc.

tendent or manager of such institutions shall cause to be kept a record, in such form as the department having supervision of the institution requires of each case treated therein, which shall at all times be open to the inspection of such department and its agents. Such record shall not be a public record, nor shall the same be received as evidence in any legal proceeding. The superintendent or manager of such an institution shall not detain any person received as above for more than fifteen days, unless, before the expiration of that period, such person has been committed under section sixty-two, or has signed a request to remain at said institution under section eighty-six.

G. L. 123, § 89,
amended.

SECTION 6. Section eighty-nine of said chapter one hundred and twenty-three is hereby amended by inserting after the word "hospital" in the third line the words: — or of any institution to which commitments may be made under section sixty-two, — by inserting after the word "department" in the fourth line the words: — having supervision of the institution, — by striking out, in the seventh line, the words "supreme judicial" and inserting in place thereof the word: — superior, — and by inserting after the word "department" in the eighth line the words: — having supervision, — so as to read as follows: — *Section 89.* The superintendent or manager of a private institution described in section three, the superintendent of a state hospital and of the McLean hospital, or of any institution to which commitments may be made under section sixty-two, when authorized thereto by the trustees of such institution, the trustees themselves, the department having supervision of the institution, or, on written application, a judge of probate for the county where the institution is situated, or where the inmate had his residence at the time of his commitment or admission, or a justice of the superior court in any county, after such notice as the said superintendent, manager, trustees, department having supervision, judge or justice, may consider reasonable and proper, may discharge any inmate if it appears upon examination that he will be sufficiently provided for by himself, his guardian, relatives or friends, or that his detention in such institution is no longer necessary for his own welfare or the safety of the public. If the legal or natural guardian or any relative of an inmate opposes such discharge, it shall not be made without written notice having been given to the person opposing such discharge. This section shall not apply to persons committed by a court under any provision of sections one hundred to one hundred and five, inclusive.

Discharge of
dipsomaniacs,
etc., from
certain institu-
tions by
trustees, court,
etc.

Not applicable
to certain
persons.

SECTION 7. Chapter one hundred and twenty-three, as amended in section one hundred and thirteen by section one of chapter two hundred and seventy of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section one hundred and thirteen and inserting in place thereof the following: — *Section 113.* At any time prior to the final disposition of a case in which the court might commit an offender to the state prison, the reformatory for women, any jail or house of correction, the Massachusetts reformatory, the state farm, the industrial school for boys, the industrial school for girls, the Lyman school, any county training school, or to the custody of the department of public welfare, for any offence not punishable by death or imprisonment for life, a district attorney, probation officer or officer of the department of correction, public welfare or mental diseases may file in court an application for the commitment of the defendant in such a case to a department for defective delinquents established under sections one hundred and seventeen and one hundred and twenty-four, or to a department for the care and treatment of drug addicts, established by the governor and council under authority of said sections. On the filing of such application the court may continue the original case from time to time to await disposition thereof. If, on a hearing thereon, it appears that the defendant, within a period of three years, has been found guilty of an offence for which he might have been committed to any institution above named or to the custody of the department of public welfare, or that he has been adjudged a juvenile delinquent, and that he is mentally defective, or addicted to the intemperate use of stimulants or narcotics, and is not a proper subject for the schools for the feeble-minded or for commitment as an insane person, the court may commit him to such department for defective delinquents, or to such a department for the care and treatment of drug addicts, as the case may be, according to his age and sex, as hereinafter provided.

G. L. 123, § 113, etc., amended.

Commitments to department for defective delinquents, or to department for care and treatment of drug addicts.

SECTION 8. Said chapter one hundred and twenty-three is hereby further amended by striking out section one hundred and fourteen and inserting in place thereof the following: — *Section 114.* If an offender while under commitment to any of the institutions named in the preceding section or to the department of public welfare persistently violates the regulations of the institution or department in whose custody he is, or conducts himself so indecently or immorally, or otherwise so grossly misbehaves as to render himself an unfit subject for

G. L. 123, § 114, amended.

Removal from certain institutions to a department for defective delinquents or a department for drug addicts, etc.

retention in said institution or by said department, and it appears that such offender is mentally defective or addicted to the intemperate use of stimulants or narcotics, and is not a proper subject for a school for the feeble-minded, a physician in attendance at any institution named in the preceding section or a physician employed by said department shall make a report thereof to the officer in charge of said institution or to the director of child guardianship, who shall transmit the same to one of the judges mentioned in section fifty. The judge shall make inquiry into the facts and, if satisfied that the offender is mentally defective or so addicted, and not a proper subject for a school for the feeble-minded, shall order his removal to a department for defective delinquents, or to a department for the care and treatment of drug addicts, as the case may be, according to his age and sex as hereinafter provided.

G. L. 123, § 115,
amended.

Certificate of
mental de-
fectiveness
or of drug
addiction to be
filed in certain
cases.

SECTION 9. Said chapter one hundred and twenty-three is hereby further amended by striking out section one hundred and fifteen and inserting in place thereof the following: — *Section 115.* No person shall be committed to a department for defective delinquents or to a department for the care and treatment of drug addicts under either of the two preceding sections unless there has been filed with the judge a certificate by two physicians qualified as provided in section fifty-three that such person is mentally defective or is addicted to the intemperate use of stimulants or narcotics. The fees of the certifying physicians shall be of the amount and paid in the manner provided for like service in sections three to one hundred and twelve, inclusive.

G. L. 123, § 117,
etc., amended.

Departments
for defective
delinquents
and for drug
addicts may
be established,
etc.

SECTION 10. Said chapter one hundred and twenty-three, as amended in section one hundred and seventeen by section two of chapter two hundred and seventy of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section one hundred and seventeen and inserting in place thereof the following: — *Section 117.* At the Massachusetts reformatory, the state farm or such other place or places as may hereafter be approved by the governor and council, there may be maintained departments to be termed departments for defective delinquents, for the custody of persons committed thereto under sections one hundred and thirteen to one hundred and sixteen, inclusive. At any state institution under the supervision of the department of correction, there may be established and maintained, with the approval of the governor and council, departments to be

termed departments for drug addicts, for the care and treatment of persons addicted to the intemperate use of stimulants or narcotics and committed thereto under said sections. All men and boys so committed shall be committed to departments for male defective delinquents or for male drug addicts, as the case may be. All women and girls so committed shall be committed to departments for female defective delinquents or for female drug addicts, as the case may be. All such persons committed to departments for defective delinquents or for drug addicts at any institution under control of the department of correction shall be and remain in the custody of the said department until discharged as herein-after provided.

SECTION 11. Section one hundred and eighteen of said chapter one hundred and twenty-three is hereby amended by inserting after the word "delinquents" in the second line the words: — or drug addicts, — so as to read as follows: — *Section 118.* The board of parole of the department of correction may parole inmates of the departments for defective delinquents or drug addicts on such conditions as it deems best, and may at any time during the parole period recall to the institution any inmate paroled.

G. L. 123, § 118,
amended.

Parole, etc.,
from depart-
ments for
defective de-
linquents or
drug addicts.

SECTION 12. Section one hundred and nineteen of said chapter one hundred and twenty-three is hereby amended by inserting after the word "delinquents", in the second line the words: — or a department for drug addicts, — and by inserting after the word "delinquents", in the twenty-fourth line, the words: — or to a department for drug addicts, as the case may be, — so as to read as follows: — *Section 119.* Any person may apply at any time to the justice of the district court in whose jurisdiction a department for defective delinquents or a department for drug addicts is located, for the discharge of any inmate of said department. A hearing shall thereupon be held, of which notice shall be given to the applicant and to the person in charge of the institution where the inmate is confined. If after the hearing the justice shall find that it is probable that the inmate can be allowed to be at large without serious injury to himself, or damage or injury or annoyance to others, he may order the person having custody of said inmate to parole him. Further action on the application for the inmate's discharge shall be suspended for one year from the date of his parole. If, at any time prior to the expiration of said year, the justice of the court where the application was filed shall be satisfied that the best interests

G. L. 123, § 119,
amended.

Parole, dis-
charge, etc.,
by court from
departments
for defective
delinquents or
drug addicts.

of said inmate, or of the public, require the recall of the inmate from parole, he may authorize the person having custody of the inmate to so recall him. If an application is denied, a new application shall not be made within one year after the date of the order denying the previous application. If at the end of said year the justice shall find that said inmate can be allowed to be permanently at large without serious injury to himself, or damage or injury or annoyance to others, he may order the person having custody of said inmate to discharge him. If a person discharged under this section is found by any court to have committed, after his discharge, any offence against the laws of the commonwealth, said court may commit such person to a department for defective delinquents or to a department for drug addicts, as the case may be, without the certificate of any physician.

Recommitment
without
physician's
certificate.

G. L. 123, § 124,
amended.

Time of taking
effect of certain
provisions as
to departments
for defective
delinquents or
drug addicts,
etc.

Governor's
proclamation.

SECTION 13. Section one hundred and twenty-four of said chapter one hundred and twenty-three is hereby amended by adding at the end thereof the words: — or for the care and treatment of drug addicts, as the case may be, — so as to read as follows: — *Section 124.* Sections one hundred and thirteen to one hundred and twenty-four, inclusive, shall take effect as to any of the departments named in section one hundred and seventeen when the same is ready for occupancy. The commissioner of correction shall notify the governor when a department is in a suitable condition to receive inmates; and the governor may then issue his proclamation establishing such department as a place for the custody of defective delinquents or for the care and treatment of drug addicts, as the case may be.

Approved June 13, 1922.

Chap. 536 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO WILLIAM SEGAL.

Be it enacted, etc., as follows:

City of Boston
may pay sum
of money to
William Segal.

SECTION 1. The city of Boston may pay the sum of four thousand dollars to William Segal to compensate him for injuries sustained on account of being burned while working as an inmate in the laundry of the Rainsford school for boys, maintained by said city.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved June 13, 1922.

AN ACT INCREASING THE MEMBERSHIP OF THE INDUSTRIAL ACCIDENT BOARD AND PROVIDING FOR THE APPOINTMENT OF A WOMAN AS A MEMBER THEREOF. *Chap.537*

Chapter 537, Acts of 1922.

Referendum petition filed July 12, 1922.

See page 764.

the governor, shall receive a salary of fifty-five hundred dollars. Upon the expiration of the term of office of a member, his successor shall be appointed for five years by the governor, with the advice and consent of the council. The members shall devote their whole time in business hours to the work of the board.

SECTION 2. The additional member of said board herein provided for shall be appointed by the governor, with the advice and consent of the council, for a term of five years. Governor to appoint additional member, etc.

SECTION 3. This act shall not take effect until an appropriation sufficient to carry out its provisions has been made by the general court. Time of taking effect.
Approved June 13, 1922.

AN ACT PROVIDING FOR THE COMPLETION OF A HIGHWAY IN THE CITY OF HOLYOKE. *Chap.538*

Be it enacted, etc., as follows:

The division of highways of the department of public works is hereby authorized and directed to complete to Northampton street in the city of Holyoke the construction of the highway authorized by chapter three hundred and thirty-eight of the General Acts of nineteen hundred and nineteen, and for this purpose may expend, from item number six hundred and thirty-one of the general appropriation act for the current year, a sum not exceeding seventy thousand dollars. The provisions of said chapter three hundred and thirty-eight relative to the apportionment of the cost of the construction of said highway between the commonwealth, the county of Hampden and said city shall apply to the expenditure herein authorized. Division of highways may complete construction of a highway in city of Holyoke.
Approved June 13, 1922.

of said inmate, or of the public, require the recall of the inmate from parole, he may authorize the person having custody of the inmate to so recall him. If an application is denied, a new application shall not be made within one year after the date of the order denying the previous application. If at the

G. L. 123, § 124,
amended.

Time of taking
effect of certain
provisions as
to departments
for defective
delinquents or
drug addicts,
etc.

Governor's
proclamation.

SECTION 13. Section one hundred and twenty-four of said chapter one hundred and twenty-three is hereby amended by adding at the end thereof the words: — or for the care and treatment of drug addicts, as the case may be, — so as to read as follows: — *Section 124.* Sections one hundred and thirteen to one hundred and twenty-four, inclusive, shall take effect as to any of the departments named in section one hundred and seventeen when the same is ready for occupancy. The commissioner of correction shall notify the governor when a department is in a suitable condition to receive inmates; and the governor may then issue his proclamation establishing such department as a place for the custody of defective delinquents or for the care and treatment of drug addicts, as the case may be.

Approved June 13, 1922.

Chap. 536 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO WILLIAM SEGAL.

Be it enacted, etc., as follows:

City of Boston
may pay sum
of money to
William Segal.

SECTION 1. The city of Boston may pay the sum of four thousand dollars to William Segal to compensate him for injuries sustained on account of being burned while working as an inmate in the laundry of the Rainsford school for boys, maintained by said city.

To be sub-
mitted to city
council, etc.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved June 13, 1922.

AN ACT INCREASING THE MEMBERSHIP OF THE INDUSTRIAL ACCIDENT BOARD AND PROVIDING FOR THE APPOINTMENT OF A WOMAN AS A MEMBER THEREOF. *Chap.537*

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter twenty-four of the General Laws is hereby amended by striking out, in the first and second lines, the words "six members" and inserting in place thereof the words: — seven members, one of whom shall be a woman, — so as to read as follows: — *Section 2.* The industrial accident board shall consist of seven members, one of whom shall be a woman, at salaries of five thousand dollars each, except that the chairman, who shall be designated by the governor, shall receive a salary of fifty-five hundred dollars. Upon the expiration of the term of office of a member, his successor shall be appointed for five years by the governor, with the advice and consent of the council. The members shall devote their whole time in business hours to the work of the board.

G. L. 24, § 2, amended.

Industrial accident board, membership, salaries, terms, etc.

SECTION 2. The additional member of said board herein provided for shall be appointed by the governor, with the advice and consent of the council, for a term of five years.

Governor to appoint additional member, etc.

SECTION 3. This act shall not take effect until an appropriation sufficient to carry out its provisions has been made by the general court.

Time of taking effect.

Approved June 13, 1922.

AN ACT PROVIDING FOR THE COMPLETION OF A HIGHWAY IN THE CITY OF HOLYOKE. *Chap.538*

Be it enacted, etc., as follows:

The division of highways of the department of public works is hereby authorized and directed to complete to Northampton street in the city of Holyoke the construction of the highway authorized by chapter three hundred and thirty-eight of the General Acts of nineteen hundred and nineteen, and for this purpose may expend, from item number six hundred and thirty-one of the general appropriation act for the current year, a sum not exceeding seventy thousand dollars. The provisions of said chapter three hundred and thirty-eight relative to the apportionment of the cost of the construction of said highway between the commonwealth, the county of Hampden and said city shall apply to the expenditure herein authorized.

Division of highways may complete construction of a highway in city of Holyoke.

Approved June 13, 1922.

Chap. 539 AN ACT PROVIDING FOR THE IMPROVEMENT OF THE HIGHWAY BETWEEN THE GRAFTON STATE HOSPITAL AND THE VILLAGE OF NORTH GRAFTON.

Be it enacted, etc., as follows:

Improvement of highway between Grafton state hospital and village of North Grafton, apportionment of expense, etc.

SECTION 1. The division of highways of the department of public works may expend during the current year the sum of twelve thousand dollars, fifty per cent of said sum to be paid by the town of Grafton, and fifty per cent by the county of Worcester, on the order of said division, for the improvement of the highway between the Grafton state hospital and the village of North Grafton in the town of Grafton; any unexpended balance of the sum hereby authorized to be expended may be used in the succeeding year for the same purpose.

Worcester county may borrow money to meet its portion of cost.

SECTION 2. For the purpose of paying the fifty per cent to be borne by the county of Worcester, the county treasurer, with the approval of the county commissioners, may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, six thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, County of Worcester Highway Loan, Act of 1922, and shall be payable by such annual payments, beginning not more than one year from date thereof, as will extinguish the loan within five years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The town of Grafton, for the purpose of meeting its portion of the cost of said highway, may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, six thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Grafton Highway Loan, Act of 1922. Each authorized issue shall constitute a separate loan, and such loans shall be payable within five years from their dates. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

County of Worcester Highway Loan, Act of 1922.

Town of Grafton may borrow money, etc.

Town of Grafton Highway Loan, Act of 1922.

To be submitted to Worcester county commissioners. Proviso.

SECTION 3. This act shall take effect upon its acceptance by the county commissioners of the county of Worcester; provided, that such acceptance occurs on or before December thirty-first of the current year.

Approved June 13, 1922.

AN ACT RELATING TO THE TERM OF CERTAIN BONDS TO BE ISSUED BY THE COMMONWEALTH. *Chap.540*

Be it enacted, etc., as follows:

SECTION 1. The term of the bonds which the state treasurer is authorized to issue under section four of chapter three hundred and eighty of the acts of the current year, providing for the construction and completion by the metropolitan district commission of the Neponset bridge, shall not exceed forty years, as recommended by the governor in a message to the general court, dated May twenty-seventh, nineteen hundred and twenty-two, in pursuance of section three of article LXII of the amendments to the constitution.

Term of bonds to be issued by commonwealth for construction, etc., of Neponset bridge.

SECTION 2. The term of the bonds which the state treasurer is authorized to issue under section four of chapter four hundred and eighty-three of the acts of the current year, providing additional platform space in the Harvard square station of the Cambridge subway, shall not exceed fifty years, as recommended by the governor in said message to the general court, in pursuance of the said provision of the constitution.

Term of bonds to be issued by commonwealth to alter, etc., Harvard square station of Cambridge subway.

Approved June 13, 1922.

AN ACT PROVIDING FOR THE TAKING, FOR EDUCATIONAL PURPOSES, OF THE PICTURE ENTITLED "THE SYNAGOGUE." *Chap.541*

Be it enacted, etc., as follows:

SECTION 1. The department of education of the commonwealth is hereby authorized and directed within six months of the effective date of this act to take by right of eminent domain for educational purposes in teaching art or the history of art under section seven of chapter sixty-nine or under chapter seventy-three of the General Laws, but not in, or in connection with, any public library, the picture entitled "The Synagogue", now in the Boston public library, and all rights therein, of whatever nature or description. At the time of the taking, the department shall file a statement of the taking with the city clerk of the city of Boston, and shall award all damages sustained by any person by reason of such taking.

Department of education to take for educational purposes picture entitled "The Synagogue", now in Boston public library.

Any person entitled to an award of damages under this act, or the commonwealth whether or not an award has been made, may petition to the superior court for Suffolk county within six months from the taking for the assessment of all such damages.

Assessment of damages.

Payment of
damages.

All damages incurred under this act shall be paid from the general funds of the commonwealth by the treasurer of the commonwealth upon due presentation.

Certain pro-
visions of law
not to apply,
etc.

The provisions of chapter seventy-nine of the General Laws, so far as applicable and save as herein otherwise expressly provided, shall apply to any action under this act.

Rules, etc., for
custody and
use of picture.

SECTION 2. The department of education is authorized to make rules and regulations for the custody of said picture and its use for the educational purposes stated in section one.

Approved June 13, 1922.

Chap. 542 AN ACT ABOLISHING THE TRANSFER FROM THE SUPERIOR TO THE PROBATE COURT OF UNCONTESTED DIVORCE LIBELS.

Be it enacted, etc., as follows:

G. L. 208, § 6,
etc., amended.

SECTION 1. Chapter two hundred and eight of the General Laws, as amended in section six by section one of chapter four hundred and sixty-six of the acts of nineteen hundred and twenty-one and by section five of chapter five hundred and thirty-two of the acts of the current year, is hereby further amended by striking out said section six and inserting in place thereof the following: — *Section 6.* Libels for divorce shall be filed, heard and determined in the superior court or probate court, held for the county where one of the parties lives, except that, if the libellant has left the county where the parties lived together and the libellee still lives therein, the libel shall be heard and determined in a court held for that county.

Libels for
divorce.
Venue of libel.

G. L. 215, § 3,
etc., amended.

SECTION 2. Chapter two hundred and fifteen of the General Laws, as amended in section three by section three of said chapter four hundred and sixty-six and by section seven of chapter five hundred and thirty-two of the acts of the current year, is hereby further amended by striking out section three of said chapter two hundred and fifteen, as amended, and inserting in place thereof the following: — *Section 3.* Probate courts shall have jurisdiction of probate of wills, of granting administration on the estates of persons who at the time of their decease were inhabitants of or residents in their respective counties and of persons who die out of the commonwealth leaving estate to be administered within their respective counties; of the appointment of guardians and conservators; of all matters relative to the estates of such deceased persons and wards; of petitions for the

Probate courts.
Jurisdiction in
general.

adoption of children, and for change of names; of libels for divorce or for affirming or annulling marriage brought in the probate court; and of such other matters as have been or may be placed within their jurisdiction.

SECTION 3. Section nine A of chapter two hundred and eight of the General Laws, inserted by section two of said chapter four hundred and sixty-six, is hereby repealed.

G. L. 208,
§ 9A, etc.,
repealed.

SECTION 4. This act shall take effect on October first, nineteen hundred and twenty-two; provided, however, that libels for divorce brought in the superior court prior to said date shall continue to be subject to the provisions of law theretofore in force.

Time of taking
effect.
Proviso.

Approved June 13, 1922.

AN ACT TO APPORTION AND ASSESS A STATE TAX OF TWELVE *Chap. 543*
MILLION DOLLARS.

Whereas, A delay in the taking effect of this act would cause great inconvenience in the collection of the state tax, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Each city and town in the commonwealth shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say: —

State tax ap-
portioned and
assessed.

Abington, eleven thousand eight hundred and eighty dollars	\$11,880 00
Acton, fifty-four hundred dollars	5,400 00
Acushnet, sixty-nine hundred and sixty dollars	6,960 00
Adams, thirty-two thousand five hundred and twenty dollars	32,520 00
Agawam, eleven thousand seven hundred and sixty dollars	11,760 00
Alford, six hundred dollars	600 00
Amesbury, twenty-three thousand five hundred and twenty dollars	23,520 00
Amherst, fifteen thousand seven hundred and twenty dollars	15,720 00
Andover, twenty-four thousand dollars	24,000 00
Arlington, fifty-three thousand two hundred and eighty dollars	53,280 00
Ashburnham, thirty-seven hundred and twenty dol- lars	3,720 00
Ashby, twenty-four hundred dollars	2,400 00
Ashfield, twenty-two hundred and eighty dollars	2,280 00
Ashland, forty-six hundred and eighty dollars	4,680 00
Athol, twenty-three thousand seven hundred and sixty dollars	23,760 00

State tax
apportioned
and assessed.

Attleboro, fifty-three thousand one hundred and sixty dollars	\$53,160 00
Auburn, sixty-one hundred and twenty dollars	6,120 00
Avon, thirty-three hundred and sixty dollars	3,360 00
Ayer, sixty-seven hundred and twenty dollars	6,720 00
Barnstable, twenty thousand six hundred and forty dollars	20,640 00
Barre, eighty-two hundred and eighty dollars	8,280 00
Becket, two thousand and forty dollars	2,040 00
Bedford, forty-nine hundred and twenty dollars	4,920 00
Belchertown, twenty-eight hundred and eighty dollars	2,880 00
Bellingham, thirty-seven hundred and twenty dollars	3,720 00
Belmont, thirty-four thousand nine hundred and twenty dollars	34,920 00
Berkley, fifteen hundred and sixty dollars	1,560 00
Berlin, nineteen hundred and twenty dollars	1,920 00
Bernardston, sixteen hundred and eighty dollars	1,680 00
Beverly, ninety-four thousand nine hundred and twenty dollars	94,920 00
Billerica, fifteen thousand four hundred and eighty dollars	15,480 00
Blackstone, fifty-two hundred and eighty dollars	5,280 00
Blandford, nineteen hundred and twenty dollars	1,920 00
Bolton, two thousand and forty dollars	2,040 00
Boston, three million three hundred two thousand four hundred dollars	3,302,400 00
Bourne, twelve thousand three hundred and sixty dollars	12,360 00
Boxborough, seven hundred and twenty dollars	720 00
Boxford, twenty-one hundred and sixty dollars	2,160 00
Boylston, fifteen hundred and sixty dollars	1,560 00
Braintree, twenty-six thousand and forty dollars	26,040 00
Brewster, twenty-two hundred and eighty dollars	2,280 00
Bridgewater, twelve thousand two hundred and forty dollars	12,240 00
Brimfield, twenty-two hundred and eighty dollars	2,280 00
Brockton, one hundred fifty-seven thousand two hundred dollars	157,200 00
Brookfield, twenty-six hundred and forty dollars	2,640 00
Brookline, two hundred fourteen thousand eight hundred dollars	214,800 00
Buckland, fifty-one hundred and sixty dollars	5,160 00
Burlington, three thousand dollars	3,000 00
Cambridge, three hundred thirty-five thousand and forty dollars	335,040 00
Canton, fifteen thousand nine hundred and sixty dollars	15,960 00
Carlisle, thirteen hundred and twenty dollars	1,320 00
Carver, forty-four hundred and forty dollars	4,440 00
Charlemont, nineteen hundred and twenty dollars	1,920 00
Charlton, forty-two hundred dollars	4,200 00
Chatham, sixty-three hundred and sixty dollars	6,360 00
Chelmsford, fourteen thousand and forty dollars	14,040 00
Chelsea, ninety-two thousand and forty dollars	92,040 00

Cheshire, twenty-six hundred and forty dollars . . .	\$2,640 00	State tax apportioned and assessed.
Chester, twenty-six hundred and forty dollars . . .	2,640 00	
Chesterfield, nine hundred and sixty dollars . . .	960 00	
Chicopee, ninety-seven thousand five hundred and sixty dollars . . .	97,560 00	
Chilmark, nine hundred and sixty dollars . . .	960 00	
Clarksburg, nineteen hundred and twenty dollars . . .	1,920 00	
Clinton, thirty thousand nine hundred and sixty dol- lars . . .	30,960 00	
Cohasset, thirteen thousand four hundred and forty dollars . . .	13,440 00	
Colrain, thirty-six hundred dollars . . .	3,600 00	
Concord, fifteen thousand eight hundred and forty dol- lars . . .	15,840 00	
Conway, twenty-one hundred and sixty dollars . . .	2,160 00	
Cummington, nine hundred and sixty dollars . . .	960 00	
Dalton, eleven thousand four hundred dollars . . .	11,400 00	
Dana, thirteen hundred and twenty dollars . . .	1,320 00	
Danvers, twenty thousand five hundred and twenty dollars . . .	20,520 00	
Dartmouth, seventeen thousand one hundred and sixty dollars . . .	17,160 00	
Dedham, thirty-three thousand dollars . . .	33,000 00	
Deerfield, ninety-two hundred and forty dollars . . .	9,240 00	
Dennis, thirty-six hundred dollars . . .	3,600 00	
Dighton, seventy-two hundred dollars . . .	7,200 00	
Douglas, forty-three hundred and twenty dollars . . .	4,320 00	
Dover, sixty-one hundred and twenty dollars . . .	6,120 00	
Dracut, eighty-one hundred and sixty dollars . . .	8,160 00	
Dudley, eighty-six hundred and forty dollars . . .	8,640 00	
Dunstable, thirteen hundred and twenty dollars . . .	1,320 00	
Duxbury, eighty-one hundred and sixty dollars . . .	8,160 00	
East Bridgewater, ninety-two hundred and forty dol- lars . . .	9,240 00	
East Brookfield, eighteen hundred dollars . . .	1,800 00	
East Longmeadow, forty-five hundred and sixty dol- lars . . .	4,560 00	
Eastham, thirteen hundred and twenty dollars . . .	1,320 00	
Easthampton, twenty-seven thousand eight hundred and forty dollars . . .	27,840 00	
Easton, twelve thousand dollars . . .	12,000 00	
Edgartown, thirty-seven hundred and twenty dollars . . .	3,720 00	
Egremont, eighteen hundred dollars . . .	1,800 00	
Enfield, sixteen hundred and eighty dollars . . .	1,680 00	
Erving, forty-five hundred and sixty dollars . . .	4,560 00	
Essex, thirty-two hundred and forty dollars . . .	3,240 00	
Everett, one hundred thousand nine hundred and twenty dollars . . .	100,920 00	
Fairhaven, eighteen thousand two hundred and forty dollars . . .	18,240 00	
Fall River, three hundred ninety-four thousand four hundred and forty dollars . . .	394,440 00	
Falmouth, twenty-one thousand three hundred and sixty dollars . . .	21,360 00	

State tax
apportioned
and assessed.

Fitchburg, one hundred eighteen thousand nine hundred and twenty dollars	\$118,920 00
Florida, twenty-six hundred and forty dollars	2,640 00
Foxborough, seventy-six hundred and eighty dollars	7,680 00
Framingham, fifty-six thousand seven hundred and sixty dollars	56,760 00
Franklin, fifteen thousand one hundred and twenty dollars	15,120 00
Freetown, thirty-three hundred and sixty dollars	3,360 00
Gardner, forty-one thousand two hundred and eighty dollars	41,280 00
Gay Head, one hundred and twenty dollars	120 00
Georgetown, thirty-three hundred and sixty dollars	3,360 00
Gill, sixteen hundred and eighty dollars	1,680 00
Gloucester, sixty-three thousand dollars	63,000 00
Goshen, seven hundred and twenty dollars	720 00
Gosnold, eighteen hundred dollars	1,800 00
Grafton, twelve thousand nine hundred and sixty dollars	12,960 00
Granby, twenty-two hundred and eighty dollars	2,280 00
Granville, fifteen hundred and sixty dollars	1,560 00
Great Barrington, twenty thousand five hundred and twenty dollars	20,520 00
Greenfield, forty-two thousand three hundred and sixty dollars	42,360 00
Greenwich, twelve hundred dollars	1,200 00
Groton, seven thousand and eighty dollars	7,080 00
Groveland, thirty-seven hundred and twenty dollars	3,720 00
Hadley, sixty-two hundred and forty dollars	6,240 00
Halifax, nineteen hundred and twenty dollars	1,920 00
Hamilton, ninety-two hundred and forty dollars	9,240 00
Hampden, twelve hundred dollars	1,200 00
Hancock, nine hundred and sixty dollars	960 00
Hanover, fifty-five hundred and twenty dollars	5,520 00
Hanson, forty-five hundred and sixty dollars	4,560 00
Hardwick, seventy-four hundred and forty dollars	7,440 00
Harvard, four thousand and eighty dollars	4,080 00
Harwich, five thousand and forty dollars	5,040 00
Hatfield, sixty-one hundred and twenty dollars	6,120 00
Haverhill, one hundred thirty-eight thousand two hundred and forty dollars	138,240 00
Hawley, six hundred dollars	600 00
Heath, nine hundred and sixty dollars	960 00
Hingham, eighteen thousand six hundred dollars	18,600 00
Hinsdale, nineteen hundred and twenty dollars	1,920 00
Holbrook, fifty-four hundred dollars	5,400 00
Holden, fifty-eight hundred and eighty dollars	5,880 00
Holland, three hundred and sixty dollars	360 00
Holliston, fifty-eight hundred and eighty dollars	5,880 00
Holyoke, two hundred eight thousand and eighty dollars	208,080 00
Hopedale, fifteen thousand four hundred and eighty dollars	15,480 00
Hopkinton, forty-six hundred and eighty dollars	4,680 00

		State tax apportioned and assessed.
Hubbardston, twenty-two hundred and eighty dol- lars	\$2,280 00	
Hudson, fifteen thousand one hundred and twenty dol- lars	15,120 00	
Hull, twenty-five thousand two hundred dollars	25,200 00	
Huntington, twenty-six hundred and forty dollars	2,640 00	
Ipswich, fourteen thousand one hundred and sixty dollars	14,160 00	
Kingston, forty-five hundred and sixty dollars	4,560 00	
Lakeville, twenty-eight hundred and eighty dollars	2,880 00	
Lancaster, seventy-two hundred dollars	7,200 00	
Lanesborough, twenty-one hundred and sixty dol- lars	2,160 00	
Lawrence, two hundred forty-eight thousand one hun- dred and sixty dollars	248,160 00	
Lee, eleven thousand two hundred and eighty dol- lars	11,280 00	
Leicester, eighty-four hundred dollars	8,400 00	
Lenox, fourteen thousand two hundred and eighty dol- lars	14,280 00	
Leominster, forty-one thousand four hundred dollars	41,400 00	
Leverett, twelve hundred dollars	1,200 00	
Lexington, twenty thousand eight hundred and eighty dollars	20,880 00	
Leyden, seven hundred and twenty dollars	720 00	
Lincoln, forty-three hundred and twenty dollars	4,320 00	
Littleton, thirty-three hundred and sixty dollars	3,360 00	
Longmeadow, eleven thousand and forty dollars	11,040 00	
Lowell, two hundred ninety thousand one hundred and sixty dollars	290,160 00	
Ludlow, eighteen thousand six hundred dollars	18,600 00	
Lunenburg, thirty-eight hundred and forty dollars	3,840 00	
Lynn, two hundred forty thousand three hundred and sixty dollars	240,360 00	
Lynnfield, forty-two hundred dollars	4,200 00	
Malden, one hundred four thousand one hundred and sixty dollars	104,160 00	
Manchester, twenty-four thousand four hundred and eighty dollars	24,480 00	
Mansfield, fourteen thousand two hundred and eighty dollars	14,280 00	
Marblehead, twenty-five thousand nine hundred and twenty dollars	25,920 00	
Marion, sixty-eight hundred and forty dollars	6,840 00	
Marlborough, thirty thousand one hundred and twenty dollars	30,120 00	
Marshfield, sixty-three hundred and sixty dollars	6,360 00	
Mashpee, one thousand and eighty dollars	1,080 00	
Mattapoisett, forty-five hundred and sixty dollars	4,560 00	
Maynard, thirteen thousand two hundred dollars	13,200 00	
Medfield, forty-eight hundred dollars	4,800 00	
Medford, eighty-six thousand seven hundred and sixty dollars	86,760 00	
Medway, fifty-six hundred and forty dollars	5,640 00	

State tax
apportioned
and assessed.

Melrose, forty-six thousand five hundred and sixty dollars	\$46,560 00
Mendon, nineteen hundred and twenty dollars	1,920 00
Merrimac, forty-two hundred dollars	4,200 00
Methuen, thirty-six thousand eight hundred and forty dollars	36,840 00
Middleborough, fifteen thousand six hundred dollars	15,600 00
Middlefield, seven hundred and twenty dollars	720 00
Middleton, twenty-four hundred dollars	2,400 00
Milford, twenty-six thousand five hundred and twenty dollars	26,520 00
Millbury, eleven thousand and forty dollars	11,040 00
Millis, forty-nine hundred and twenty dollars	4,920 00
Millville, thirty-six hundred dollars	3,600 00
Milton, forty-four thousand one hundred and sixty dollars	44,160 00
Monroe, one thousand and eighty dollars	1,080 00
Monson, fifty-seven hundred and sixty dollars	5,760 00
Montague, twenty-two thousand and eighty dollars	22,080 00
Monterey, one thousand and eighty dollars	1,080 00
Montgomery, four hundred and eighty dollars	480 00
Mount Washington, three hundred and sixty dollars	360 00
Nahant, nine thousand four hundred and eighty dollars	9,480 00
Nantucket, eleven thousand six hundred and forty dollars	11,640 00
Natick, twenty-six thousand seven hundred and sixty dollars	26,760 00
Needham, twenty-three thousand five hundred and twenty dollars	23,520 00
New Ashford, two hundred and forty dollars	240 00
New Bedford, four hundred thirteen thousand four hundred dollars	413,400 00
New Braintree, twelve hundred dollars	1,200 00
New Marlborough, thirty-one hundred and twenty dollars	3,120 00
New Salem, thirteen hundred and twenty dollars	1,320 00
Newbury, fifty-one hundred and sixty dollars	5,160 00
Newburyport, twenty-eight thousand six hundred and eighty dollars	28,680 00
Newton, one hundred eighty-nine thousand four hundred and eighty dollars	189,480 00
Norfolk, three thousand dollars	3,000 00
North Adams, fifty-two thousand eight hundred dollars	52,800 00
North Andover, nineteen thousand eight hundred dollars	19,800 00
North Attleborough, twenty-one thousand two hundred and forty dollars	21,240 00
North Brookfield, fifty-five hundred and twenty dollars	5,520 00
North Reading, thirty-two hundred and forty dollars	3,240 00
Northampton, forty-nine thousand eight hundred dollars	49,800 00
Northborough, forty-four hundred and forty dollars	4,440 00

		State tax apportioned and assessed.
Northbridge, twenty-four thousand nine hundred and sixty dollars	\$24,960 00	
Northfield, thirty-eight hundred and forty dollars	3,840 00	
Norton, forty-eight hundred dollars	4,800 00	
Norwell, thirty-two hundred and forty dollars	3,240 00	
Norwood, thirty-one thousand four hundred dollars	41,400 00	
Oak Bluffs, fifty-six hundred and forty dollars	5,640 00	
Oakham, one thousand and eighty dollars	1,080 00	
Orange, eleven thousand eight hundred and eighty dollars	11,880 00	
Orleans, thirty-three hundred and sixty dollars	3,360 00	
Otis, nine hundred and sixty dollars	960 00	
Oxford, sixty-three hundred and sixty dollars	6,360 00	
Palmer, twenty-two thousand nine hundred and twenty dollars	22,920 00	
Paxton, twelve hundred dollars	1,200 00	
Peabody, forty-nine thousand nine hundred and twenty dollars	49,920 00	
Pelham, thirteen hundred and twenty dollars	1,320 00	
Pembroke, thirty-two hundred and forty dollars	3,240 00	
Pepperell, sixty-seven hundred and twenty dollars	6,720 00	
Peru, four hundred and eighty dollars	480 00	
Petersham, twenty-eight hundred and eighty dollars	2,880 00	
Phillipston, eight hundred and forty dollars	840 00	
Pittsfield, one hundred nine thousand five hundred and sixty dollars	109,560 00	
Plainfield, six hundred dollars	600 00	
Plainville, thirty-seven hundred and twenty dollars	3,720 00	
Plymouth, forty-five thousand three hundred and sixty dollars	45,360 00	
Plympton, thirteen hundred and twenty dollars	1,320 00	
Prescott, six hundred dollars	600 00	
Princeton, twenty-four hundred dollars	2,400 00	
Provincetown, eighty-four hundred dollars	8,400 00	
Quincy, one hundred twenty-five thousand five hundred and twenty dollars	125,520 00	
Randolph, seventy-five hundred and sixty dollars	7,560 00	
Raynham, thirty-one hundred and twenty dollars	3,120 00	
Reading, twenty thousand five hundred and twenty dollars	20,520 00	
Rehoboth, thirty-seven hundred and twenty dollars	3,720 00	
Revere, sixty thousand dollars	60,000 00	
Richmond, thirteen hundred and twenty dollars	1,320 00	
Rochester, twenty-five hundred and twenty dollars	2,520 00	
Rockland, fifteen thousand eight hundred and forty dollars	15,840 00	
Rockport, ten thousand two hundred dollars	10,200 00	
Rowe, seven hundred and twenty dollars	720 00	
Rowley, twenty-seven hundred and sixty dollars	2,760 00	
Royalston, twenty-five hundred and twenty dollars	2,520 00	
Russell, sixty-seven hundred and twenty dollars	6,720 00	
Rutland, twenty-six hundred and forty dollars	2,640 00	
Salem, one hundred three thousand eight hundred dollars	103,800 00	

State tax
apportioned
and assessed.

Salisbury, fifty-one hundred and sixty dollars . . .	\$5,160 00
Sandisfield, one thousand and eighty dollars . . .	1,080 00
Sandwich, thirty-six hundred dollars . . .	3,600 00
Saugus, eighteen thousand nine hundred and sixty dollars . . .	18,960 00
Savoy, six hundred dollars . . .	600 00
Seituate, fourteen thousand four hundred dollars . . .	14,400 00
Seekonk, fifty-six hundred and forty dollars . . .	5,640 00
Sharon, seventy-nine hundred and twenty dollars . . .	7,920 00
Sheffield, thirty-two hundred and forty dollars . . .	3,240 00
Shelburne, forty-nine hundred and twenty dollars . . .	4,920 00
Sherborn, thirty-nine hundred and sixty dollars . . .	3,960 00
Shirley, forty-nine hundred and twenty dollars . . .	4,920 00
Shrewsbury, ten thousand three hundred and twenty dollars . . .	10,320 00
Shutesbury, eight hundred and forty dollars . . .	840 00
Somerset, sixty-four hundred and eighty dollars . . .	6,480 00
Somerville, one hundred ninety-four thousand five hundred and twenty dollars . . .	194,520 00
South Hadley, twelve thousand seven hundred and twenty dollars . . .	12,720 00
Southampton, sixteen hundred and eighty dollars . . .	1,680 00
Southborough, sixty-six hundred dollars . . .	6,600 00
Southbridge, twenty-six thousand two hundred and eighty dollars . . .	26,280 00
Southwick, thirty-one hundred and twenty dollars . . .	3,120 00
Spencer, ninety-six hundred dollars . . .	9,600 00
Springfield, four hundred ninety-two thousand four hundred and eighty dollars . . .	492,480 00
Sterling, thirty-two hundred and forty dollars . . .	3,240 00
Stockbridge, eleven thousand and forty dollars . . .	11,040 00
Stoneham, sixteen thousand six hundred and eighty dollars . . .	16,680 00
Stoughton, thirteen thousand six hundred and eighty dollars . . .	13,680 00
Stow, thirty-three hundred and sixty dollars . . .	3,360 00
Sturbridge, three thousand dollars . . .	3,000 00
Sudbury, forty-four hundred and forty dollars . . .	4,440 00
Sunderland, twenty-one hundred and sixty dollars . . .	2,160 00
Sutton, forty-eight hundred dollars . . .	4,800 00
Swampscott, thirty-two thousand two hundred and eighty dollars . . .	32,280 00
Swansea, forty-nine hundred and twenty dollars . . .	4,920 00
Taunton, eighty-five thousand six hundred and eighty dollars . . .	85,680 00
Templeton, sixty-nine hundred and sixty dollars . . .	6,960 00
Tewksbury, sixty-two hundred and forty dollars . . .	6,240 00
Tisbury, forty-eight hundred dollars . . .	4,800 00
Tolland, seven hundred and twenty dollars . . .	720 00
Topsfield, fifty-five hundred and twenty dollars . . .	5,520 00
Townsend, forty-five hundred and sixty dollars . . .	4,560 00
Truro, fourteen hundred and forty dollars . . .	1,440 00
Tyngsborough, twenty-one hundred and sixty dollars . . .	2,160 00
Tyringham, nine hundred and sixty dollars . . .	960 00

Upton, thirty-three hundred and sixty dollars	\$3,360 00	State tax apportioned and assessed.
Uxbridge, fourteen thousand and forty dollars	14,040 00	
Wakefield, thirty-one thousand six hundred and eighty dollars	31,680 00	
Wales, nine hundred and sixty dollars	960 00	
Walpole, eighteen thousand four hundred and eighty dollars	18,480 00	
Waltham, ninety thousand dollars	90,000 00	
Ware, sixteen thousand four hundred and forty dol- lars	16,440 00	
Wareham, sixteen thousand nine hundred and twenty dollars	16,920 00	
Warren, ninety-six hundred dollars	9,600 00	
Warwick, twelve hundred dollars	1,200 00	
Washington, seven hundred and twenty dollars	720 00	
Watertown, sixty-three thousand four hundred and eighty dollars	63,480 00	
Wayland, eighty-one hundred and sixty dollars	8,160 00	
Webster, twenty-five thousand four hundred and forty dollars	25,440 00	
Wellesley, thirty-seven thousand four hundred and forty dollars	37,440 00	
Wellfleet, twenty-one hundred and sixty dollars	2,160 00	
Wendell, nineteen hundred and twenty dollars	1,920 00	
Wenham, fifty-eight hundred and eighty dollars	5,880 00	
West Boylston, twenty-eight hundred and eighty dol- lars	2,880 00	
West Bridgewater, forty-eight hundred dollars	4,800 00	
West Brookfield, twenty-eight hundred and eighty dol- lars	2,880 00	
West Newbury, twenty-five hundred and twenty dol- lars	2,520 00	
West Springfield, forty-three thousand five hundred and sixty dollars	43,560 00	
West Stockbridge, two thousand and forty dollars	2,040 00	
West Tisbury, thirteen hundred and twenty dollars	1,320 00	
Westborough, eighty-four hundred dollars	8,400 00	
Westfield, forty-one thousand two hundred and eighty dollars	41,280 00	
Westford, ninety-two hundred and forty dollars	9,240 00	
Westhampton, seven hundred and twenty dollars	720 00	
Westminster, twenty-six hundred and forty dollars	2,640 00	
Weston, eleven thousand eight hundred and eighty dollars	11,880 00	
Westport, ninety-seven hundred and twenty dollars	9,720 00	
Westwood, fifty-eight hundred and eighty dollars	5,880 00	
Weymouth, thirty-three thousand seven hundred and twenty dollars	33,720 00	
Whately, twenty-one hundred and sixty dollars	2,160 00	
Whitman, fourteen thousand eight hundred and eighty dollars	14,880 00	
Wilbraham, fifty-six hundred and forty dollars	5,640 00	
Williamsburg, thirty-three hundred and sixty dollars	3,360 00	
Williamstown, twelve thousand dollars	12,000 00	

State tax
apportioned
and assessed.

Wilmington, fifty-four hundred dollars	\$5,400 00
Winchendon, twelve thousand eight hundred and forty dollars	12,840 00
Winchester, forty-seven thousand eight hundred and eighty dollars	47,880 00
Windsor, eight hundred and forty dollars	840 00
Winthrop, thirty-seven thousand nine hundred and twenty dollars	37,920 00
Woburn, thirty-six thousand two hundred and forty dollars	36,240 00
Worcester, five hundred fifty-one thousand eight hundred and eighty dollars	551,880 00
Worthington, twelve hundred dollars	1,200 00
Wrentham, forty-three hundred and twenty dollars	4,320 00
Yarmouth, forty-nine hundred and twenty dollars	4,920 00
	<hr/>
	\$12,000,000 00

State treasurer
to issue
warrant.

SECTION 2. The state treasurer shall forthwith send his warrant, according to the provisions of section twenty of chapter fifty-nine of the General Laws to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess the sum so charged, and to add the amount of such tax to the amount of city, town and county taxes to be assessed by them respectively on each city and town.

Payment of
assessments
by cities and
towns.

SECTION 3. The state treasurer in his warrant shall require the selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay to the state treasurer, on or before November twentieth in the year nineteen hundred and twenty-two, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors, respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the state treasurer at some time before September first in the year nineteen hundred and twenty-two.

Notice to
treasurers of
delinquent
cities and
towns.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the state treasurer within the time specified, then the state treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after November twentieth in the year nineteen hundred and twenty-two; and if the same remains unpaid after December first in the year nine-

teen hundred and twenty-two, an information may be filed by the state treasurer in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as the court, or the justice thereof before whom the hearing is had, shall order. Nothing herein contained shall be construed to prevent the state treasurer from deducting at any time, from any moneys which may be due from the commonwealth to the delinquent city or town, the whole or any part of said tax, with the interest accrued thereon, which shall remain unpaid.

Warrant of distress, when to issue.

Approved June 13, 1922.

AN ACT AUTHORIZING THE APPOINTMENT BY THE GOVERNOR *Chap.544*
OF A FUEL ADMINISTRATOR.

Whereas, In order to secure an adequate supply of fuel for the citizens of Massachusetts in the event of an emergency, the services of a fuel administrator are necessary; and whereas, the provisions of the Commonwealth Defence Act of nineteen hundred and seventeen have become inoperative, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

The provisions of the Commonwealth Defence Act of 1917, being chapter three hundred and forty-two of the General Acts of nineteen hundred and seventeen, relating to the appointment, duties, authority and powers of a fuel administrator, are hereby revived and made operative until April first, nineteen hundred and twenty-three.

Provisions of Commonwealth Defence Act of 1917 relating to appointment, duties, etc., of a fuel administrator revived, etc.

Approved June 13, 1922.

AN ACT ESTABLISHING THE COMMISSION ON ADMINISTRATION AND FINANCE. *Chap.545*

Chapter 545, Acts of 1922.

Referendum petition filed June 24, 1922.

See page 763.

State tax apportioned and assessed.	Wilmington, fifty-four hundred dollars	\$5,400 00
	Winchendon, twelve thousand eight hundred and forty dollars	12,840 00
	Winchester, forty-seven thousand eight hundred and eighty dollars	47,880 00
	Windsor, eight hundred and forty dollars	840 00
	Winthrop, thirty-seven thousand nine hundred and twenty dollars	37,920 00
	Woburn, thirty-six thousand two hundred and forty dollars	36,240 00
	Worcester, five hundred fifty-one thousand eight hundred and eighty dollars	551,880 00
	Worthington, twelve hundred dollars	1,200 00
	Wrentham, forty-three hundred and twenty dollars	4,320 00
	Yarmouth, forty-nine hundred and twenty dollars	4,920 00
		<hr/>
		\$12,000,000 00

State treasurer to issue warrant.

SECTION 2. The state treasurer shall forthwith send his warrant, according to the provisions of section twenty of chapter fifty-nine of the General Laws to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess the sum so charged, and to add the amount of such tax to the amount of city, town and county taxes to be assessed by them respectively on each city and town.

Payment of assessments by cities and towns.

SECTION 3. The state treasurer in his warrant shall require the selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay to the state treasurer, on or before November twentieth in the year nineteen hundred and twenty-two, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors, respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the state treasurer at some time before September first in the year nineteen hundred and twenty-two.

Notice to treasurers of delinquent cities and towns.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the state treasurer within the time specified, then the state treasurer shall

teen hundred and twenty-two, an information may be filed by the state treasurer in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as the court, or the justice thereof before whom the hearing is had, shall order. Nothing herein contained shall be construed to prevent the state treasurer from deducting at any time, from any moneys which may be due from the commonwealth to the delinquent city or town, the whole or any part of said tax, with the interest accrued thereon, which shall remain unpaid.

Warrant of distress, when to issue.

Approved June 13, 1922.

AN ACT AUTHORIZING THE APPOINTMENT BY THE GOVERNOR *Chap. 544*
OF A FUEL ADMINISTRATOR.

Whereas, In order to secure an adequate supply of fuel for the citizens of Massachusetts in the event of an emergency, the services of a fuel administrator are necessary; and whereas, the provisions of the Commonwealth Defence Act of nineteen hundred and seventeen have become inoperative, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

The provisions of the Commonwealth Defence Act of 1917, being chapter three hundred and forty-two of the General Acts of nineteen hundred and seventeen, relating to the appointment, duties, authority and powers of a fuel administrator, are hereby revived and made operative until April first, nineteen hundred and twenty-three.

Provisions of Commonwealth Defence Act of 1917 relating to appointment, duties, etc., of a fuel administrator revived, etc.

Approved June 13, 1922.

AN ACT ESTABLISHING THE COMMISSION ON ADMINISTRATION AND FINANCE. *Chap. 545*

Be it enacted, etc., as follows:

SECTION 1. The office of supervisor of administration existing under authority of section one of chapter seven of the General Laws is hereby abolished. All the rights, powers, duties and obligations of said office, and those of the state treasurer relative to bookkeeping and accounting functions

Office of supervisor of administration abolished and powers, duties, etc., thereof together with certain powers, duties, etc., of

state treasurer,
state auditor,
state secretary
and superin-
tendent of
buildings
transferred to
commission on
administration
and finance.

not necessarily connected with the cash and funds which he handles, those of the state auditor except such as relate to the auditing of the accounts of all departments, offices and commissions of the commonwealth and to the keeping of reports of such audits, those of the state secretary relative to the purchase of paper for printing and general use and those of the superintendent of buildings relative to purchasing and storeroom functions, are hereby transferred to, and shall hereafter be exercised and performed by, the commission on administration and finance established by this act, which shall be the lawful successor of said office, and of the state treasurer, state auditor, state secretary and superintendent of buildings with respect to said rights, powers, duties and obligations.

Commission
on adminis-
tration and
finance,
establishment,
membership,
terms, salaries,
etc.

SECTION 2. There shall be established a commission on administration and finance which shall serve directly under the governor and council within the meaning of article LXVI of the amendments to the constitution of the commonwealth. Said commission shall consist of four members, who shall be appointed by the governor, with the advice and consent of the council. Of the commissioners first appointed under this act, one shall be appointed for one year, one for two years, one for three years and one for four years, and thereafter one shall annually be appointed for four years. With like advice and consent, the governor shall fill any vacancy for the unexpired term and may for cause remove any commissioner. The governor shall designate one of said commissioners as chairman. The chairman shall receive such annual salary not exceeding seven thousand dollars, and each of the other commissioners, such annual salary not exceeding sixty-five hundred dollars, as the governor and council may determine. Each commissioner shall devote his entire time to the duties of his office.

Organization
in three
bureaus.

SECTION 3. Said commission shall be organized in three bureaus, namely: a comptroller's bureau, a budget bureau and a purchasing bureau. Each bureau shall be in charge of a commissioner of the commission to be designated by the governor, with the advice and consent of the council, and to be known, respectively, as the comptroller, budget commissioner and state purchasing agent. Any commissioner so designated shall be a person of ability and extended experience in the line of work required in his bureau.

Division of
personnel and
standardization

SECTION 4. There shall also be established directly under the commission a division of personnel and standardization,

in charge of a director of personnel and standardization. The said division shall include all the functions, other than those relating to the preparation of the budget, heretofore exercised by the supervisor of administration and hereinbefore transferred to the commission. The commission shall, with the approval of the governor and council, appoint, and fix the salary of, such director and may, with like approval, remove him. The commission may also, subject to the civil service laws and rules where they apply, employ such other persons as the work of the commission may require, and remove them, and shall, subject to sections forty-five to fifty, inclusive, of chapter thirty of the General Laws and the rules and regulations made thereunder, fix their salaries.

in charge of director, establishment, functions, etc.

Commission may employ persons, etc.

SECTION 5. The comptroller's bureau shall include those functions heretofore exercised by the state treasurer and state auditor and hereinbefore transferred to the commission on administration and finance.

Comptroller's bureau, functions, rights and duties.

The rights and duties of said bureau shall in general be as follows:

To perform all the accounting duties hereinbefore transferred from the department of the state auditor, and all the accounting duties hereinbefore transferred from the department of the state treasurer.

Accounting duties.

To keep all general books of account and to determine the extent and character of subsidiary accounts to be kept by all departments, offices and commissions of the commonwealth.

Bookkeeping, etc.

To be properly equipped and to furnish, when required, all accounting statements relating to the financial status, funds, reserves, appropriation control and cost of operation of the commonwealth at the end of the state fiscal year and at intermediate monthly periods when such information is needed in effecting economies before appropriations have been exhausted, or for other purposes.

Furnishing accounting statements, etc.

To verify all accounting statements included in reports of departments, offices and commissions, other than the commission on administration and finance, before the publication of such reports; provided, that no such report shall be published by any such department, office or commission until such statements are so verified and approved.

Verification of accounting statements.

Proviso.

To approve vouchers, pay rolls and other documents calling for the expenditure of state money, check them against appropriations, certify them and forward them to the governor and council for the issue of warrants on the state treasurer in the manner provided by section seven of chapter

Approval of vouchers, pay rolls, etc.

eleven of the General Laws; and for this purpose to have possession of all contracts, salary lists and other data necessary therefor.

Designing and installing new accounting system for commonwealth, etc.

To design and install a new accounting system for the commonwealth, as outlined in the report of the commission on administration and expenditures filed with the clerk of the house of representatives on January fourth, nineteen hundred and twenty-two, being house document number eight hundred of nineteen hundred and twenty-two, and to prescribe the requisite forms and books of accounts to be used by the several departments, offices and commissions; provided, that no other forms or books shall thereafter be used without the approval of the comptroller.

Proviso.

Revising forms, etc.

To revise such forms, books or system from time to time.

Preparation, etc., of instruction books relative to new accounting system.

To prepare and distribute a book of instructions covering the use and application of the new accounting system for the guidance of the accounting personnel in the various departments, offices, commissions and institutions. To prepare and file annually on or before December twenty-sixth, with the clerk of the house of representatives and with the budget commissioner, statements of state accounts setting forth in comparative tabulations the estimates filed under section three of chapter twenty-nine of the General Laws, and estimates of all claims and other expenditures authorized by law, including interest, sinking fund and serial bond requirements, the appropriations for the preceding fiscal year and expenditures for all state purposes for the preceding three fiscal years.

Preparation, etc., of annual statements of state accounts, estimates of expenditures, etc.

Budget bureau, functions, etc.

SECTION 6. The budget bureau shall include the functions, relative to the preparation of budget, heretofore exercised and performed by the supervisor of administration and hereinbefore transferred to the commission on administration and finance. For the exercise of such functions, the records, resources and full co-operation of the comptroller's bureau shall be available.

Certain departments, etc., to submit annually forecasts of probable annual construction expenditures. Classification of items.

SECTION 7. Each department, office and commission responsible for any great amount of physical property shall annually submit with their budget estimates forecasts of probable annual construction expenditures for such period of years as shall be appropriate for such department, office or commission. Such forecasts shall be itemized, and items shall be classified for each year under one of three following classes: "necessary", "desirable" or "contingent". The first class shall include work that is a part of a fixed and con-

tinuing program or is unavoidably necessary. The second class shall include items of work advantageously provided for at that time, but which might be postponed or possibly advanced. The third class shall include work dependent upon some other developments which cannot be definitely predetermined. Such forecasts may be modified from year to year to conform to changing conditions. The budget commissioner may from time to time fix or change the form of the forecasts, the classification of the items contained therein or the period of years to be covered thereby.

SECTION 8. Coincident with the installation of the proposed new system of state accounting recommended in the report of the commission on state administration and expenditures hereinbefore referred to, the budget commissioner shall so change the requirements relative to budget estimates, in so far as they are not prescribed by statute, as to make them conform to the said accounting system.

Budget commissioner to change budget estimate requirements upon installation of new accounting system.

SECTION 9. The purchasing bureau shall include the purchasing and storeroom functions heretofore exercised and performed by the superintendent of buildings and hereinbefore transferred to the commission on administration and finance, and the functions relative to the purchase of paper for printing and general use, heretofore exercised and performed by the state secretary and hereinbefore transferred to said commission.

Purchasing bureau, functions, etc.

SECTION 10. All materials, supplies and other property, except legislative or military supplies, needed by the various executive and administrative departments and other activities of the commonwealth shall be purchased by or under the direction of the purchasing bureau in the manner set forth in the three following sections. Said bureau shall be furnished with such general supply appropriations, in addition to its departmental supply accounts, as may be necessary in order to place blanket contracts or advance orders and thereby take advantage of favorable market conditions.

Purchase of materials, supplies, etc.

General supply appropriations, etc.

SECTION 11. No supplies, equipment or other property, other than for legislative or military purposes, shall be purchased or contracted for by any state department, office or commission unless approved by the state purchasing agent as being in conformity with the rules, regulations and orders made under the following section. Such approval may be of specific or blanket form at the discretion of the state purchasing agent.

Approval of purchases, etc., of supplies, equipment, etc.

Rules and regulations governing purchase, delivery, etc., of supplies, equipment, etc.

Scope of rules and regulations.

SECTION 12. The commissioners of the commission on administration and finance, sitting as a board, shall, subject to the approval of the governor and council, make rules, regulations and orders which shall regulate and govern the manner and method of the purchasing, delivering and handling of, and the contracting for, supplies, equipment and other property for the various state departments, offices and commissions, except when they are for legislative or military purposes. Such rules, regulations and orders shall be of general or limited application, and shall, so far as practicable, be uniform, shall be in conformity with existing laws relative to the purchase of articles made by inmates of penal institutions or by the blind except that such purchase shall be made by or under the direction of the state purchasing agent and subject to the approval of the full board, and shall include provision for the following:

(1) The advertisement for and the receipt of bids for supplies and other property and the stimulation of competition with regard thereto;

(2) The purchase of supplies and other property without advertisement or the receipt of bids, where the amount involved will not exceed five hundred dollars, when, in the judgment of the state purchasing agent, it is expedient;

(3) The purchase of supplies and other property without competition, in cases of emergency requiring immediate action;

(4) The purchasing of or contracting for certain supplies, equipment and other property by long or short term contracts, or by purchases or contracts made at certain seasons of the year, or by blanket contracts or orders covering the requirements of one or more departments, offices and commissions;

(5) Prescribing the times for submitting estimates for various supplies, equipment and other property;

(6) Regulations to secure the prompt delivery of commissary and other necessary supplies;

(7) Standardization of forms for estimates, orders and contracts;

(8) Standardization of specifications for purchasing supplies, equipment and other property;

(9) Standardization of quality, grades and brands to eliminate unnecessary number of commodities or of grades or brands of the same commodity;

(10) The purchase of supplies and other property locally, upon permission, specific or otherwise, of the state purchasing agent; Same subject.

(11) The use and disposal of the products of state institutions;

(12) Disposal of obsolete, excess and unsuitable supplies, salvage and waste material and other property and the transfer of same to other departments, offices and commissions;

(13) Storage of surplus supplies, equipment and other property not needed for immediate use;

(14) The testing of commodities or supplies or samples thereof;

(15) Hearings on complaints in respect to the quality, grade or brand of commodities or supplies;

(16) The waiver of rules in special cases.

Rules, regulations and orders made under this section shall not restrict the several state departments, offices and commissions as to the quantity of supplies, equipment or other property which may be purchased or contracted for, for them, or as to the nature thereof. Rules, etc., not to restrict as to quantity or nature of supplies, etc.

Section thirty-seven of chapter thirty of the General Laws shall apply to such rules and regulations. G. L. 30, § 37, to apply to rules, etc.

SECTION 13. Any appointed officer failing to comply with any rule, regulation or order made under the preceding section may, after a hearing before the governor and council given to the official concerned, be removed by them. Removal for failure to comply with rules.

SECTION 14. The state purchasing agent may maintain a proper laboratory for the purpose of testing commodities or samples thereof, or may make use of existing facilities suitable for such purpose. State purchasing agent may maintain laboratory, etc.

SECTION 15. The state purchasing agent shall advise with the various state institutions that make or are able to make products suitable for the needs of state departments, offices and commissions and with the heads of such departments, offices and commissions, with a view to ascertaining how best to improve or change such products or the quality or price thereof so as to meet the needs of such state departments, offices and commissions, and may make to such institutions such recommendations relating thereto as seem best. To advise with state institutions that make products suitable for needs of state departments, etc.

SECTION 16. In order best to carry out the provisions of the six preceding sections, there shall be established an advisory standardization board, consisting of the state pur- Advisory standardization board, establishment, membership, duties, etc.

chasing agent as its head and such representatives of the several departments, offices and commissions most affected by said provisions as shall be designated by the heads thereof. Said board shall consider and advise as to the needs of the various state activities, how far they can be reasonably harmonized and covered by standard specifications, and what, if any, materials are so lacking in importance or uniformity as to warrant blanket authorization for their local purchase.

Powers and duties of division of personnel and standardization.
Departmental research, etc.

SECTION 17. The powers and duties of the division of personnel and standardization shall in general be as follows:

To carry on, under the direction of the commission, departmental research tending to greater co-ordination and standardization of administration, including the making of investigations and recommendations based thereon;

Classification and standardization of salaries.
Supervision of state printing.
Providing technical advisers, etc.

To carry out the provisions of law relative to the classification and standardization of salaries;

To supervise the printing of the commonwealth.

It may provide technical advisers to undertake engineering investigations in behalf of such departments, offices and commissions as are not organized to do such work.

Commissioners to decide questions, etc.

SECTION 18. The commissioners, acting as a board, shall decide questions, not involving legislation, which arise on matters relating to accounting standards and practices other than those relating to the establishment of the proposed new accounting system. Said board shall from time to time authorize such additions to or deductions from the balance sheet account representing state owned property in the proposed new accounting system as it finds consistent with established accounting standards, and no such additions or deductions shall be made without a majority vote of the whole board and a written certification to that effect. Said board shall pass upon all contracts intended by the state purchasing agent, and no such contract shall be made without the approval of such board.

To authorize certain changes in new accounting system, etc.

To pass upon contracts intended by state purchasing agent.

Equal voice by commissioners.

Governor to decide issue in case of tie vote.

SECTION 19. In any case in which the commissioners act as a board, each commissioner shall have equal voice; and if there is a tie vote upon any matter, except as provided in the preceding section, the board shall call upon the governor or the person acting in his place to decide the issue.

Annual report.

SECTION 20. The commission shall make an annual report of its transactions, which shall include, in addition to other matters, the information set forth in sections fourteen and fifteen of chapter eleven of the General Laws, and said

report may be published in such parts, or separate volumes, as the commission may determine. Said report shall be submitted to the general court in the manner heretofore provided by section thirteen of said chapter eleven for the submission of the state auditor's annual report.

SECTION 21. Where an existing officer or other governmental organization, agency or function is abolished or transferred by this act, all books, papers, maps, charts, plans, records, and all other equipment in the possession of, or used solely in connection with, such organization, agency or function, or of any member or officer thereof, shall be delivered to the commission established hereby.

Delivery of books, papers, equipment, etc., of abolished or transferred offices, etc.

SECTION 22. Where an existing officer or other governmental organization, agency or function is abolished or transferred by this act, all officers below the grade of head of a department, and all employees, connected therewith shall, as temporary appointees or employees of the commission established hereby, continue to perform their usual duties, upon the same terms and conditions as heretofore, until permanently appointed to or employed in positions in accordance with the provisions of this act relative to such commission, or removed by the commission, established hereby, with the approval of the governor and council but without complying with the civil service law and rules; and they shall be eligible to such appointment or employment without further examination, but otherwise shall be subject to the civil service law and rules where they apply, and to the provisions of sections forty-five to fifty, inclusive, of chapter thirty of the General Laws and the rules and regulations made thereunder. All such temporary appointment or employment shall become permanent on January first, nineteen hundred and twenty-four, unless sooner terminated.

Employees of abolished or transferred offices, etc., to become temporary appointees, etc.

SECTION 23. Persons who, at the time when this act takes effect, are appointed to or employed by an office or other governmental organization, agency or function abolished or transferred by this act, and are appointed to positions under the commission established hereby, shall retain all rights to retirement with pension that shall have accrued or would thereafter accrue to them, and their services shall be deemed to have been continuous, as if this act had not been passed.

Temporary employment, etc., when to become permanent.

Rights to retirement with pension not to be affected.

SECTION 24. All petitions, hearings and other proceedings pending before any officer or other governmental organization, agency or function which is abolished or transferred by this act, and all prosecutions, legal or other proceedings and

Pending petitions, hearings, etc., to remain in full force and effect.

investigations begun by such organization, agency or function and not completed at the time of the taking effect of this act, shall continue unabated and remain in full force and effect notwithstanding the passage of this act, and may be completed before or by the commission established hereby. All questions of an administrative character arising under this section shall be determined by the governor and council.

Determination of administrative questions.

Orders, rules and regulations to remain in full force and effect.

SECTION 25. All orders, rules and regulations made by any officer or other governmental organization or agency abolished by this act or by any officer in the exercise of a function transferred by this act shall remain in full force and effect until revoked or modified in accordance with law by the commission established hereby.

Existing contracts and obligations to remain in full force and effect.

SECTION 26. All existing contracts and obligations of any office or other governmental organization or agency abolished by this act or in relation to any function transferred by this act shall remain in full force and effect, and shall be performed by the commission established hereby.

Department of state auditor to make annual audit of accounts of departments, etc.

SECTION 27. The department of the state auditor shall annually make a careful audit of the accounts of all departments and activities of the commonwealth, including those of the income tax division of the department of corporations and taxation, and for said purpose the authorized officers and employees of said department of the state auditor shall have access to such accounts at reasonable times. Said department shall keep no books or records except records of such audits, and its annual report shall relate only to such audits.

Records of audits and annual report.

Certain offices in department of state auditor abolished. Retention of employees.

The offices of the second deputy, of the supervisor of accounts and of the assistant supervisor of accounts in the department of the state auditor are hereby abolished. After the passage of this act there shall be retained in said department only such employees as its work as herein set forth may require and such employees shall be organized in two divisions, namely, the division of receipts and the division of disbursements. The employees in the first division shall be qualified to check actual receipts and to study and suggest any possible sources of revenue for the commonwealth.

Division of receipts and division of disbursements established.

Expenses of commission.

SECTION 28. The expenses of the commission on administration and finance for compensation for officers and employees and for other purposes shall not exceed the appropriations made therefor by the general court, but said commission may continue expenditures during the fiscal year beginning December first, nineteen hundred and twenty-

two, for the several functions transferred to it hereby at the rate of appropriation authorized for such functions during the current fiscal year, until the general court makes appropriations therefor or provides otherwise.

SECTION 29. So much of this act as authorizes appointments by the governor and council shall take effect on September fifteenth, nineteen hundred and twenty-two. So much as relates to the commission on administration and finance shall take effect upon the appointment and qualification of the commissioners thereof, but not before December first, nineteen hundred and twenty-two. All other provisions of this act shall take effect on said December first, provided that the state auditor shall retain such of his existing powers and duties as may be necessary to enable him to close up, prior to January first, nineteen hundred and twenty-three, the accounts of the current fiscal year.

Time of taking effect.

Proviso.

Approved June 13, 1922.

AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT
MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS
CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES
AND PROJECTS.

Chap. 546

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act, and for certain new activities and projects, the sums set forth in section two, for the particular purposes and subject to the conditions stated therein, are hereby appropriated from the general fund or ordinary revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

Appropriations to supplement certain items contained in the general appropriation act, and for certain new activities and projects.

SECTION 2.

Service of the Legislative Department.

Item

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|----|---|----------|
| 3 | For the compensation of representatives, a sum not exceeding one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose | \$100 00 |
| 12 | For the salaries of the doorkeepers of the senate and house of representatives, and the post-master, with the approval of the sergeant-at-arms, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose | 300 00 |

Legislative Department.

Legislative Department.	Item		
	13	For the salaries of assistant doorkeepers and messengers to the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding twelve hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,250 00
	19	For personal services of the house counsel and assistants, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
	22	For authorized traveling and other expenses of the committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding sixteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,600 00
	25	For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, a sum not exceeding fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	15,000 00
	29	For stationery for the house of representatives, purchased by and with the approval of the clerk, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00
	30a	For Rose M. Coolidge, as authorized by chapter twenty-five of the resolves of the present year, the sum of forty-four hundred seventy-nine dollars and sixteen cents	4,479 16
	30b	For expenses of the special committee to investigate the conduct in office of a certain justice of the supreme judicial court, a sum not exceeding thirty-five hundred dollars	3,500 00
	30c	For expenses of completing the index and printing of the General Laws, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,000 00
	30d	For expenses of the joint special recess committee for nineteen hundred and twenty-one, in preparing a report on contested elections from nineteen hundred and three to nineteen hundred and twenty-two inclusive, a sum not exceeding two thousand dollars	2,000 00
	30e	For expenses of the house committee on rules, with the approval of the speaker, a sum not exceeding four hundred dollars	400 00
	Total		\$35,129 16

Service of Special Investigations.

Item		Special investi- gations.
30f	For expenses of an inquiry relative to the work- ings of daylight-saving, so-called, as author- ized by chapter three hundred and fifty-one of the acts of the present year, a sum not exceeding two thousand dollars	\$2,000 00
30g	For expenses of a special commission to make an investigation relative to opportunities and methods for higher education in the common- wealth, as authorized by chapter thirty-three of the resolves of the present year, a sum not exceeding ten thousand dollars	10,000 00
30h	For expenses of a special committee to revise certain laws relating to banks and banking, a sum not exceeding two thousand dollars, as authorized by chapter thirty-seven of the resolves of the present year	2,000 00
30i	For expenses of a special commission to investi- gate problems relating to municipal expendi- tures and taxation, as authorized by chapter thirty-nine of the resolves of the present year, a sum not exceeding five thousand dollars	5,000 00
30j	For expenses of the department of public health for an investigation of the present sewerage system of the cities of Salem and Peabody, and also for an investigation as to the causes of pollution of the North river in said cities, as authorized by chapter forty of the resolves of the present year, a sum not exceeding ten thousand dollars	10,000 00
30k	For expenses of a special commission to investi- gate relative to the registration of motor vehicles, as authorized by chapter forty-one of the resolves of the present year, a sum not exceeding one thousand dollars	1,000 00
30l	For expenses of a special commission to investi- gate problems relating to prevention of unem- ployment, to unemployment compensation and to minimum wage, as authorized by chap- ter forty-three of the resolves of the present year, a sum not exceeding ten thousand dollars	10,000 00
30m	For expenses of a special commission to investi- gate and report relative to the placing in the state house of suitable memorials commemo- rating the services in the world war of military units composed of Massachusetts soldiers, as authorized by chapter forty-six of the resolves of the present year, a sum not exceeding one thousand dollars	1,000 00
Total		<hr/> \$41,000 00

Service of the Judicial Department.

Item	Supreme Judicial Court, as follows:	
Judicial Department. Supreme Judicial Court.	34 For the salary of the clerk for the commonwealth, a sum not exceeding seven hundred and fifty dollars, as provided by chapter four hundred and eighty-seven of the acts of the present year, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$750 00
	35 For clerical assistance to the clerk, a sum not exceeding sixty-six dollars and sixty-seven cents, as provided by chapter four hundred and eighty-seven of the acts of the present year, the same to be in addition to any amount heretofore appropriated for the purpose . . .	66 67
	42a For the pension of Michael F. Meagher, as authorized by chapter two hundred and sixty-seven of the acts of the present year, a sum not exceeding one hundred and twenty-five dollars . . .	125 00
	42b For John H. Flynn, for special services rendered while acting clerk for the commonwealth, with the approval of the chief justice, the sum of four hundred and fifty dollars	450 00
	Superior Court, as follows:	
Superior Court.	43 For the salaries of the chief justice and of the twenty-nine associate justices, a sum not exceeding eleven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	11,000 00
	47 For pensions of retired justices, a sum not exceeding thirty-five hundred and sixty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,565 00
Registers of Probate and Insolvency.	For clerical assistance to Registers of the several counties, as follows:	
	56 For clerical assistance to the register of Dukes County, a sum not exceeding thirty-three dollars and thirty-four cents, the same to be in addition to any amount heretofore appropriated for the purpose	33 34
	60 For clerical assistance to the register of Hampshire county, a sum not exceeding one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	100 00

Item

District Attorneys, as follows:

		District Attorneys.
68	For the salaries of the district attorney and assistants for the Suffolk district, as authorized by chapter two hundred and seventy-seven of the acts of the present year, a sum not exceeding eleven thousand and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$11,050 00
71	For the salaries of the district attorney, deputy district attorney and assistants, for the southeastern district, a sum not exceeding twenty-two hundred and twenty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	2,225 00
74	For the salaries of the district attorney and assistants for the western district, as authorized by chapter three hundred and four of the acts of the present year, a sum not exceeding eight hundred and twenty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	825 00
Total		\$30,190 01

Service of the Executive Department.

		Executive Department.
87	For the salaries of officers and employees of the department, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$1,000 00
92½	For the purchase of a portrait of a former governor, as authorized by section nineteen of chapter eight of the General Laws, a sum not exceeding three thousand dollars . . .	3,000 00
Total		\$4,000 00

92¾	For the purchase of coal for the several institutions of the commonwealth, a sum not exceeding seventy-five thousand dollars, provided that this sum shall be available only for transfers, approved by the governor and council, to meet any emergency which may arise due to the continuation of the existing coal strike, and a consequent increase in price	Purchase of coal for several state institutions. Proviso. \$75,000 00
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Service of the Adjutant General.

Item	
Adjutant General.	The appropriation of six thousand dollars made in item number ninety-nine of chapter one hundred and twenty-nine of the acts of the present year is hereby reduced by seven hundred and fifty dollars, and item number ninety-six of said chapter, for personal services in the division of records of the world war, is hereby increased by the amount of seven hundred and fifty dollars.

Service of Reorganized Militia.

Reorganized Militia.	116	For compensation for accidents and injuries sustained in the performance of military duty, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$5,000 00
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Service of Special Military Expenses.

Special Military Expenses.	120a	For expense of testimonials to soldiers and sailors of the world war, to be expended under the direction of the adjutant general, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$5,000 00
	120b	For the compilation of records of soldiers and sailors who served during the Philippine insurrection, to be expended under the direction of the adjutant general, a sum not exceeding fifteen hundred dollars	1,500 00
Total			\$6,500 00

Service of the Armory Commission.

Armory Commission.	142½	For the purchase of land and the construction of an armory in the city of Quincy by the armory commission, at a cost not to exceed one hundred forty thousand dollars, of which amount seventy thousand dollars is hereby appropriated in anticipation of a further sum of seventy thousand dollars to be appropriated in the fiscal year nineteen hundred and twenty-three	\$70,000 00
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Service of the Commission on Necessaries of Life.

Commission on Necessaries of Life.	143½	For expenses of the commission on necessaries of life, a sum not exceeding twenty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$20,000 00
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Service of the Massachusetts Soldiers' Home.

Item		Massachusetts Soldiers' Home.
148 $\frac{1}{2}$	For certain improvements at the Massachusetts Soldiers' Home, as authorized by chapter twenty-eight of the resolves of the present year, a sum not exceeding fifteen thousand dollars	\$15,000 00

For Expenses on Account of Wars.

		Expenses on Account of Wars.
150a	For providing memorials in Cuba for service during the Spanish war by the second and ninth Massachusetts regiments, as authorized by chapter seventeen of the resolves of the present year, a sum not exceeding two thousand dollars	\$2,000 00
150b	For repairs on the soldiers' monument and grounds on the battlefield at Antietam, as authorized by chapter twenty-two of the resolves of the present year, a sum not exceeding one thousand dollars	1,000 00
150c	For the purchase of land for a memorial to Massachusetts soldiers who served in France during the world war, as authorized by chapter four hundred and fifty-five of the acts of the present year, a sum not exceeding twenty thousand dollars	20,000 00
150d	For the expense of providing in the state house a memorial in recognition of the services of the late Lieutenant-Colonel Charles W. Whittlesey, the late Michael J. Perkins and the late George Dilboy, a sum not exceeding three thousand dollars, as authorized by chapter thirty-eight of the resolves of the present year	3,000 00
Total		\$26,000 00

Service of the State Library.

		State Library.
158a	For the expense of making a duplicate card catalogue of legislators, under the direction of the state librarian, a sum not exceeding twenty-five hundred dollars	\$2,500 00

Service of the Superintendent of Buildings.

		Superintendent of Buildings.
160	For personal services of engineers, assistant engineers, firemen and helpers in the engineer's department, a sum not exceeding eleven hundred and eighty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,185 00

	Item	
Superintendent of Buildings.	161	For personal services of watchmen and assistant watchmen, a sum not exceeding four hundred and ten dollars, the same to be in addition to any amount heretofore appropriated for the purpose \$410 00
	162	For personal services of porters, a sum not exceeding seven hundred and eighteen dollars, the same to be in addition to any amount heretofore appropriated for the purpose 718 00
	166	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding nineteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose 1,900 00
	167	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds, including repairs of furniture and equipment, a sum not exceeding eighty-nine hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose 8,900 00
	Total \$13,113 00	

Service of the Secretary of the Commonwealth.

Secretary of the Common- wealth.	171	For the salaries of the secretary and officers and employees holding positions established by law, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose \$500 00
	196a	For the salary, during the month of December, nineteen hundred and twenty-one, of the clerk of the supervisor of public records, the sum of one hundred and fifty dollars 150 00
		Item two hundred and three of chapter one hundred and twenty-nine of the acts of the present year is hereby amended by striking out said item, and inserting in place thereof the following:
		Refunding fees:
Refunding fees.	203	For the refunding of certain corporation fees under a ruling of the courts, repayments hereunder to be made from the fund herein appropriated upon the certificate of the secretary of the commonwealth, approved by the attorney general, to the same degree and in the same amount as though action had seasonably been instituted by said corporations under section seventy-seven of chapter sixty-three of the General Laws, or any other provision of law then thereto enabling, a sum not exceeding thirty thousand dollars.

Item		
203 $\frac{1}{2}$	For copying and perpetuating certain records of Massachusetts troops in the world war, under the direction of the secretary of the commonwealth, a sum not exceeding eight thousand dollars	Secretary of the Commonwealth. \$8,000 00
	Total	\$8,650 00

Service of the Treasurer and Receiver General.

204	For the salary of the treasurer and receiver general and other officers and employees holding positions established by law, a sum not exceeding thirty-three dollars and thirty-three cents, the same to be in addition to any amount heretofore appropriated for the purpose	Treasurer and Receiver General. \$33 33
205	For services of additional clerical and other assistance, a sum not exceeding fourteen hundred sixty-six dollars and sixty-seven cents, the same to be in addition to any amount heretofore appropriated for the purpose	1,466 67
210 $\frac{1}{2}$	For the purpose of making payments to soldiers under authority of chapter two hundred and eleven of the General Acts of nineteen hundred and seventeen, in excess of appropriations and authorizations heretofore made for the purpose, the treasurer and receiver general is hereby authorized to pay from receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen, a sum not exceeding twelve thousand dollars	12,000 00
	Total	\$13,500 00

Service of the Auditor of the Commonwealth.

216	For the salary of the auditor and other officers and employees holding positions established by law, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Auditor of the Commonwealth. \$200 00
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Unclassified Accounts and Claims.

219 $\frac{1}{2}$	For Warren F. Spalding, a veteran of the civil war and formerly a member of the board of parole, the sum of forty-four hundred sixteen dollars and sixty-seven cents, that sum being the amount to which said Spalding has become entitled under the authorization of chapter two hundred and seventy-nine of the acts of nineteen hundred and twenty-one	Unclassified Accounts and Claims. \$4,416 67
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Unclassified Accounts and Claims.	Item		
	221	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, and now retired, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,000 00
	222	For the compensation of state police officers formerly in the service of the commonwealth, and now retired, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,500 00
	223	For the compensation of certain women formerly employed by the sergeant-at-arms in cleaning the state house, and now retired, a sum not exceeding seven hundred and sixty-eight dollars, the same to be in addition to any amount heretofore appropriated for the purpose	768 00
	224	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, a sum not exceeding four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	4,000 00
	225	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,200 00
	227	For maintenance of boulevards and parkways, with the approval of the metropolitan district commission, a sum not exceeding twenty thousand dollars, representing the state's portion or one half of the estimated cost of maintenance, to carry out the purposes of chapter two hundred and twenty of the acts of the present year, same to be paid from receipts in the Motor Vehicle Fees Fund, and to be in addition to any amount heretofore appropriated for the purpose	20,000 00
	Total		<hr/> \$32,884 67

Claims.

Item	Payments for certain claims authorized by the following appropriations shall be certified by the auditor of the commonwealth only upon the filing of satisfactory releases or other evidence that the payments are accepted in full compensation on the part of the commonwealth in respect thereto:	Claims.
235f	For George A. Dafour of Leominster, for the necessary expenses incident to the drowning of Private Augustus C. Casassa, company B, 101st engineers, Massachusetts National Guard, while at camp, the sum of eighty dollars	\$80 00
235g	For Henry C. Fillipone of Boston, for damages sustained by him in the year nineteen hundred and twenty-one, as a result of being kicked by a horse while on duty as a member of the State Guard, the sum of two hundred and thirty-four dollars	234 00
235h	For Albert B. Leighton of Westborough, for injuries sustained on November twentieth, nineteen hundred and twenty-one, by being struck by an automobile truck operated by an employee of the department of public works of the commonwealth, the sum of three hundred dollars	300 00
235i	For William E. Wheeler of Falmouth, for expenses incurred by him as a result of a fractured arm received in the performance of his duties as fish and game warden, the sum of fifty-three dollars	53 00
235j	For Irving R. Nichols of Grafton, the sum of eight thousand dollars, and for Joseph T. Atchue of Grafton, the sum of three thousand dollars, severally, on account of losses sustained by fires supposed to have been set by inmates of the Grafton state hospital	11,000 00
235k	For the city of Springfield, as a refund of a certain amount erroneously paid by said city for the care of Fred S. Fuller at the state infirmary at Tewksbury, the sum of nineteen hundred forty-eight dollars and fifty cents	1,948 50
235l	For the administrators of the estate of Frank Bulkeley Smith, as a refund on account of legacy and succession taxes illegally exacted from them, the sum of thirteen hundred thirteen dollars and fifty-five cents	1,313 55
235m	For the Salem Five Cents Savings Bank, being a refund of certain money paid as taxes under a mistake of fact, the sum of sixteen hundred four dollars and fifty-one cents	1,604 51

Claims.	Item	
	235n	For the Boston and Maine Railroad, as a refund of a certain sum of money paid by reason of an erroneous assessment in the year nineteen hundred and twenty, the sum of fifteen thousand three hundred three dollars and seventeen cents, same to be taken from the receipts from taxes on public service corporations
		\$15,303 17
	235o	For the Nashua and Lowell Railroad Corporation, as a refund of a certain sum of money paid by reason of an erroneous assessment in the year nineteen hundred and twenty, the sum of two hundred six dollars and fifty-three cents, same to be taken from the receipts from taxes on public service corporations
		206 53
	235p	For Mary C. Johnson of Boston, for damages sustained by her in the year nineteen hundred and sixteen as a result of a collision with a motor vehicle belonging to the metropolitan district commission, the sum of five hundred dollars, same to be paid from the Metropolitan Parks Maintenance Fund
		500 00
	235q	For Rosanna Baribeau of Lynn, for damages sustained by reason of the death of her son, Joseph Emile Baribeau, who lost his life by drowning, August thirtieth, nineteen hundred and twenty-one, while serving as a soldier in E battery, one hundred and second regiment, Massachusetts field artillery, National Guard, the sum of one thousand dollars
		1,000 00
	235r	For Carmela M. Casassa of Somerville, for damages sustained by reason of the death of her son, Augustus C. Casassa, who lost his life by drowning, June twenty-fourth, nineteen hundred and twenty-one, while engaged in military duty at camp Devens, as a member of B company, one hundred and first regiment, Massachusetts engineers, National Guard, the sum of one thousand dollars
		1,000 00
	235s	For Mary L. Kelly, fifteen Wayne street, Boston, the sum of nine hundred twenty-seven dollars and one cent; for Edward W. Howe, twenty-six Wayne street, Boston, the sum of two hundred twenty dollars and eighty cents; and for Hattie A. Burr, thirty-two Wayne street, Boston, the sum of two hundred dollars, severally to cover claims for damages to property sustained by reason of damages done by acts of violence committed on property belonging to Judge Albert F. Hayden of Boston
		1,347 81

Item		Claims.
235 ^l	For Harry Roberts of Brookline, as a rebate on account of an income tax, the sum of twenty-two hundred nine dollars and ninety-two cents, same to be paid from the proceeds of the state income tax	\$2,209 92
235 ^u	For Ella M. Foye, as authorized by chapter thirty of the resolves of the present year, the sum of fifty dollars	50 00
235 ^v	For Henry C. Ettling of Springfield, as authorized by chapter forty-nine of the resolves of the present year, the sum of five hundred dollars	500 00
	Total	\$38,650 99

Service of the Attorney General.

238 ^l	For special services and expenses in connection with the trial of certain tax cases, with the approval of the attorney general, a sum not exceeding twelve thousand six hundred ninety dollars and thirty cents	Attorney General. \$12,690 30
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Service of the Department of Agriculture.

258	For state prizes and agricultural exhibits, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	Department of Agriculture. \$1,000 00
260	For work in protecting the pine trees of the commonwealth from white pine blister rust, a sum not exceeding twelve thousand dollars, the same to be expended in co-operation with the federal authorities, and to be in addition to any amount heretofore appropriated for the purpose	12,000 00
262 ^a	For investigation for the purpose of establishing grades of tobacco, as authorized by chapter thirty-two of the resolves of the present year, a sum not exceeding one thousand dollars	1,000 00
262 ^b	For clerical assistance in preparing copy for a bird book, under the direction of the department of agriculture, a sum not exceeding fifteen hundred dollars	1,500 00
262 ^c	For expenses of administering the law relative to the grading and inspection of onions, as authorized by chapter four hundred and thirty-eight of the acts of the present year, a sum not exceeding one thousand dollars	1,000 00

	Item		
Drainage Board.	263	For expenses of the drainage board, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,200 00
		Total	\$17,700 00

Service of the Department of Conservation.

Department of Conservation. Division of Forestry.	Item two hundred and sixty-seven of chapter one hundred and twenty-nine of the acts of the present year is hereby amended by striking out the words "of the secretary".
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Division of Animal Industry.	303a	Division of Animal Industry: For reimbursement of owners of certain cattle killed in accordance with agreements made under authority of chapter three hundred and fifty-three of the acts of the present year, a sum not exceeding fifteen thousand dollars	\$15,000 00
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Service of the Department of Banking and Insurance.

Department of Banking and Insurance. Division of Banks and Loan Agencies.	The appropriation made in item three hundred and six of chapter one hundred and twenty-nine of the acts of the present year is hereby made available for paying the salary of a deputy.
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Division of Savings Banks Life Insurance.	317	Division of Savings Banks Life Insurance: For services other than personal, printing the annual report and traveling expenses, office supplies and equipment, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$300 00
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Service of the Department of Corporations and Taxation.

Department of Corporations and Taxation.	322	For other services and for necessary office supplies and equipment, and for printing the annual report, other publications and valuation books, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$500 00
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Income Tax Division (the following appropriation is to be made from the receipts from the income tax):

Income Tax Division.	326	For services other than personal and for office supplies and equipment, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,500 00
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Item

Division of Accounts:

330	For the expense of certain books, forms and other material, which may be sold to cities and towns requiring the same for maintaining their system of accounts, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Division of Accounts.	\$1,000 00
	Total		\$4,000 00

Service of the Department of Education.

English Speaking Classes for Adults:

348	For reimbursement of certain cities and towns, a sum not exceeding twenty-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Department of Education. English Speaking Classes for Adults.	\$25,000 00
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Division of Immigration and Americanization:

351	For personal services, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Division of Immigration and Americanization.	2,500 00
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Division of the Blind:

360	For payment of certain invoices for materials for manufacture used in the industries of the division, and purchased in previous years, a sum not exceeding fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Division of the Blind.	50,000 00
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Massachusetts Agricultural College:

368	For maintenance and current expenses, the sum of six thousand dollars, same to be in addition to any amount heretofore appropriated for the purpose, and said amount to be transferred from the appropriation made for certain improvements at power plant under item three hundred and seventy of chapter one hundred and twenty-nine of the acts of the present year.	Massachusetts Agricultural College.	
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For the maintenance and improvement of the state normal schools, and the boarding halls attached thereto, with the approval of the commissioner of education, as follows:

375	Fitchburg normal school, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Maintenance, etc., of state normal schools. Fitchburg normal school.	200 00
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	Item		
Framingham normal school.	378	Framingham normal school, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$800 00
Worcester normal school.	388	Worcester normal school, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00
Total			\$79,000 00

Service of the Department of Civil Service and Registration.

Division of Civil Service:			
Department of Civil Service and Registration. Division of Civil Service.	397	For personal services of the division, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,000 00
Division of Registration:			
Division of Registration.	401	For expenses of the director, a sum not exceeding two hundred and seventy-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	275 00
Board of Registration of Nurses:			
Board of Registration of Nurses.	413½	For services and expenses of the chairman of board in making reports upon certain training schools for nurses, a sum not exceeding five hundred dollars	500 00
Total			\$1,775 00

Service of the Department of Mental Diseases.

Institutions under control of Department of Mental Diseases.		For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:	
Boston state hospital.	454	Boston state hospital, a sum not exceeding ten thousand eight hundred dollars	\$10,800 00
Boston psychopathic hospital.	462	Boston psychopathic hospital, a sum not exceeding sixty-five hundred dollars	6,500 00
Foxborough state hospital.	465	Foxborough state hospital, a sum not exceeding fifteen hundred dollars	1,500 00
	467	For the construction of two male ward buildings with service connections and equipment at the Foxborough state hospital, a sum not exceeding thirty-five thousand dollars	35,000 00
Gardner state colony.	473	For the extension of the water supply at the Gardner state colony, a sum not exceeding fifteen thousand dollars	15,000 00
Grafton state hospital.	475	Grafton state hospital, a sum not exceeding eight thousand dollars	8,000 00

Item			
479	Massachusetts School for the Feeble-Minded, a sum not exceeding twenty-five hundred dollars	\$2,500 00	Massachusetts School for the Feeble-Minded.
485	Monson state hospital, a sum not exceeding forty-three hundred dollars	4,300 00	Monson state hospital.
489	Northampton state hospital, a sum not exceeding twenty-five hundred dollars	2,500 00	Northampton state hospital.
490	Taunton state hospital, a sum not exceeding seventy-two hundred dollars	7,200 00	Taunton state hospital.
493	For the payment of certain bills for yeast furnished to the Westborough state hospital during the month of June, nineteen hundred and twenty, by the Fleischman Company, the sum of twenty-two dollars and fifty cents is hereby authorized.		Westborough state hospital.
497	Wrentham state school, a sum not exceeding thirteen thousand dollars	13,000 00	Wrentham state school.
502	For the construction of two dormitory buildings, including the necessary service connections and equipment, at the Belchertown state school, a sum not exceeding thirty-one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	31,000 00	Belchertown state school.
511a	For care and maintenance of property at the Norfolk state hospital, a sum not exceeding fifteen thousand dollars	15,000 00	Norfolk state hospital.
	Severally to be in addition to the sums heretofore appropriated for the purposes.		
	Total	\$152,300 00	

Service of the Department of Correction.

512	For personal services of the commissioner, deputies and members of the board of parole and advisory board of pardons, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$200 00	Department of Correction.
	For the maintenance of the following institutions under the control of the Department of Correction:		Institutions under control of Department of Correction.
520	State farm, a sum not exceeding eight thousand dollars	8,000 00	State farm.
522	State prison, a sum not exceeding four hundred fifty dollars and ninety-five cents. Authority is hereby granted to reimburse Louis F. Burk for medical attendance and care on account of injuries received in the course of his duties, to the extent of four hundred fifty dollars and ninety-five cents	450 95	State prison.

	Item		
Massachusetts reformatory.	524	Massachusetts reformatory, a sum not exceeding thirteen thousand dollars	\$13,000 00
Reformatory for women.	525	Reformatory for women, a sum not exceeding five hundred dollars	500 00
		Severally to be in addition to the sums heretofore appropriated for the purposes.	
		Total	\$22,150 95

Service of the Department of Public Welfare.

Division of Aid and Relief. (The following item is for reimbursement of cities and towns):

Department of Public Welfare. Division of Aid and Relief.	537	For temporary aid given to state paupers and shipwrecked seamen by cities and towns, for the present year and previous years, a sum not exceeding one hundred and fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$150,000 00
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Division of Child Guardianship:

Division of Child Guardianship.		The appropriation made in item five hundred and forty of chapter one hundred and twenty-nine of the acts of the present year is hereby made available for expenditures for the present and previous years.	
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For the maintenance and certain improvements of the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, as follows:

Industrial school for boys.	554	For the construction, including service connections and equipment and furnishings for an infirmary and hospital building at the industrial school for boys, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,000 00
		Total	\$155,000 00

Service of the Department of Public Health.

Division of Administration:

Department of Public Health. Division of Administration.	566	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,500 00
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Item	Division of Hygiene:		
568a	For extending the activities of the division of hygiene in the protection and care of mothers and conservation of the welfare of children, a sum not exceeding fifteen thousand dollars, to be used in conjunction with items five hundred and sixty-five and five hundred and sixty-six of chapter one hundred and twenty-nine of the acts of the present year	Division of Hygiene.	\$15,000 00
Division of Communicable Diseases:			
570	For services other than personal, traveling expenses, laboratory, office and other necessary supplies, including the purchase of animals and equipment, and rent of certain offices, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Division of Communicable Diseases.	1,000 00
The appropriations made in the following six items are to be in addition to any federal funds now in the treasury, or hereafter received, which may be used for these purposes:			
Division of Venereal Diseases:			
571	For personal services of the division, a sum not exceeding twenty-one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Division of Venereal Diseases.	2,100 00
572	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding thirty-seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose		3,700 00
Manufacture and Distribution of Arsphenamine:			
573	For personal services necessary for the manufacture of arsphenamine or other similar preparations, a sum not exceeding seventeen hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Manufacture and Distribution of Arsphenamine.	1,750 00
574	For the purchase of chemicals and other materials, including equipment and supplies necessary for the preparation and manufacture of arsphenamine, or its equivalent, a sum not exceeding fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose		50 00

Item			
Wassermann Laboratory.	Wassermann Laboratory: 575 For personal services of the Wassermann laboratory, a sum not exceeding nineteen hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for the purpose		\$1,920 00
	576 For expenses of the Wassermann laboratory, a sum not exceeding ten hundred and thirty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,030 00	
Inspection of Food and Drugs.	Inspection of Food and Drugs:		
	580 For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	600 00	
Water Supply and Disposal of Sewage, Engineering Division.	Water Supply and Disposal of Sewage, Engineering Division:		
	581 For personal services of the director, engineers, clerks and other assistants, a sum not exceeding fifty-three hundred and ninety dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,390 00	
	582 For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,500 00	
Water Supply and Disposal of Sewage, Division of Laboratories.	Water Supply and Disposal of Sewage, Division of Laboratories:		
	583 For personal services of laboratory director, chemists, clerks and other assistants, a sum not exceeding two hundred and twenty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	225 00	
Neponset Valley Fund.	Neponset Valley Fund:		
	587a For the restoration of certain rights of way by the construction of two bridges, made necessary by the work done under authority of chapter six hundred and fifty-five of the acts of the year nineteen hundred and eleven in improving the sanitary condition of the Neponset river, to include all engineering work and other expenses necessary for restoring the rights of way, a sum not exceeding forty-five hundred dollars	4,500 00	

Item

587b	For the expenses of a commission to be appointed to apportion one half of the total expenses incurred on account of the work done in improving the sanitary condition of the Neponset river, a sum not exceeding seventy-six hundred and fifty dollars	Neponset Valley Fund.	\$7,650 00
	For the maintenance and certain improvements of the sanatoria, as follows:		
591	For the Lakeville state sanatorium, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Sanatoria, maintenance and improvements. Lakeville state sanatorium.	3,500 00
599	For the Westfield state sanatorium, a sum not exceeding twenty-seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Westfield state sanatorium.	2,700 00
	Total		\$54,115 00

Service of the Department of Public Safety.

621	For personal services of the state police patrol for an additional unit of thirty men, to be appointed during the current year, a sum not exceeding eighty-six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	Department of Public Safety. State Police Patrol.	\$8,600 00
622	For other services and expenses of the state police patrol for an additional unit of thirty men, to be appointed during the current year, a sum not exceeding thirty-eight thousand five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose, provided, however, that after the close of the current fiscal year expenditures may be made on the basis of a further additional unit of thirty men for state police patrol, notwithstanding the provisions of section ten of chapter twenty-nine of the General Laws		38,500 00
	Total		\$47,100 00

Service of the Department of Public Works.

Registration of Motor Vehicles:

635	For personal services, a sum not exceeding two thousand dollars, from receipts in the Motor Vehicle Fees Fund, same to be in addition to any amount heretofore appropriated for the purpose	Department of Public Works. Registration of Motor Vehicles.	\$2,000 00
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	Item		
Registration of Motor Vehicles.	636	For services other than personal, including traveling expenses, purchase of necessary supplies, equipment and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners of motor vehicles, a sum not exceeding two thousand dollars, from receipts in the Motor Vehicle Fees Fund, same to be in addition to any amount heretofore appropriated for the purpose	\$2,000 00
Division of Waterways and Public Lands:			
Division of Waterways and Public Lands.	648	For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, a sum not exceeding fifteen thousand five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	15,500 00
	656	For expenses of dredging channels and filling marsh lands, a sum not exceeding thirty-five thousand dollars, as authorized by chapter four hundred and four of the acts of the present year, to be paid from the port of Boston receipts or ordinary revenue, the same to be in addition to any amount heretofore appropriated for the purpose	35,000 00
Total			<hr/> \$54,500 00

Deficiencies.

Deficiencies.	For deficiencies in certain appropriations of previous years in certain items, as follows:
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Legislative Department.

Legislative Department.	For stationery for the house of representatives, the sum of one hundred thirty-three dollars and thirty-five cents	\$133 35
	For expenses of a recess committee to continue the investigation of matters relative to county government, the sum of sixty-three dollars and eighty-seven cents	63 87

Judicial Department.

Judicial De- partment. Superior Court.	Superior Court: For traveling allowances and expenses, the sum of seven hundred forty-four dollars and ninety cents	744 90
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Department of the Secretary of the Commonwealth.

Item	For printing and binding public documents, the sum of one hundred and fourteen dollars	\$114 00	Department of Secretary of the Commonwealth.
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Department of Banking and Insurance.

Division of Insurance:

For other services, including printing the annual report, traveling expenses, and necessary office supplies and equipment, the sum of fourteen hundred forty dollars and five cents	1,440 05	Department of Banking and Insurance. Division of Insurance.
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Department of Education.

For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, the sum of twelve hundred and ninety-nine dollars	1,299 00	Department of Education.
For the reimbursement of certain towns for the payment of tuition of children attending high schools outside the towns in which they reside, the sum of fifty-two hundred twenty-one dollars and eighty-six cents	5,221 86	

Department of Public Works.

Division of Highways:

For the maintenance and repair of state highways, the sum of two hundred seventy-eight dollars and eighty-nine cents	278 89	Department of Public Works. Division of Highways.
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Total	\$9,295 92	
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MISCELLANEOUS.

Service of the Department of Industrial Accidents.

423	For personal services of members of the board, secretaries, medical adviser and inspectors, a sum not exceeding twelve hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,250 00	Miscellaneous. Department of Industrial Accidents.
426	For traveling expenses, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00	

Service of the Superior Court.

47½	For the salary of a special master, as authorized by chapter five hundred and thirty-three of the acts of the present year, a sum not exceeding twelve hundred and fifty dollars	\$1,250 00	Superior Court.
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Service of the Department of Public Health.

	Item		
Department of Public Health. Water supply needs, etc., in Lawrence and Methuen.	582 $\frac{1}{2}$	For the expenses of an investigation by the department of public health relative to water supply needs and resources of the city of Lawrence and the town of Methuen, as authorized by chapter fifty-three of the resolves of the present year, a sum not exceeding fifty-five hundred dollars	\$5,500 00
Tuberculosis investigations.	589 $\frac{1}{2}$	For work of the department of public health in investigations relative to tuberculosis, a sum not exceeding three thousand dollars, to be in addition to any other funds of the department available for the purpose	3,000 00
Special commission to investigate, etc., as to relief for certain physically handicapped persons.	30n	For the expenses of the special commission appointed to investigate as to the desirability of providing aid for certain physically handicapped persons, a sum not exceeding one thousand dollars, and for temporary relief to any needy wheel-chair cripple or any other physically handicapped person, a sum not exceeding ten thousand dollars, severally as authorized by chapter fifty-two of the resolves of the present year	11,000 00
Fuel Administrator.	30o	For expenditures of a fuel administrator, a sum not exceeding five thousand dollars	5,000 00
Taking of picture entitled "The Synagogue".	678 $\frac{3}{4}$	For the purpose of taking for educational purposes the picture entitled "The Synagogue", a sum not exceeding five thousand dollars for all or any part of the expenses involved therein, and supplementing the provisions made in chapter five hundred and forty-one of the acts of the present year	5,000 00
Commission on administration and finance.	139 $\frac{1}{2}$	For salaries of the commission on administration and finance, a sum not exceeding six thousand dollars, and any unexpended balances of the appropriations heretofore made for expenses of the office of the supervisor of administration may be expended for the purposes of said commission	6,000 00
Investigation by department of public utilities as to transportation within metropolitan district.	30p	For expenses of an investigation by the department of public utilities of transportation facilities within the metropolitan district, a sum not exceeding five thousand dollars, the same to be in addition to any funds previously appropriated for the purposes of this department	5,000 00
Payment to Anna J. Waite.	235w	For Anna J. Waite of Worcester, the sum of three thousand dollars, on account of loss sustained by fires supposed to have been set by inmates of the Grafton state hospital	3,000 00

Metropolitan District Commission.

Item			Metropolitan District Commission.
	The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the Metropolitan District Commission:		
680	For maintenance of park reservations, a sum not exceeding eleven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$11,000 00	Park reservations.
683	For maintenance of the Nantasket beach reservation, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,500 00	Nantasket beach reservation.
687	For maintenance of boulevards and parkways, a sum not exceeding twenty thousand dollars, to carry out the provisions of chapter two hundred and twenty of the acts of the present year, the same to be in addition to the amount appropriated from receipts in the Motor Vehicle Fees Fund, and in addition to any amount heretofore appropriated for the purpose	20,000 00	Boulevards and parkways.
689a	For the district's proportion, or fifty per cent, of the cost of construction of a certain highway in the town of Revere, under authority of chapter five hundred and one of the acts of the present year, a sum not exceeding fifty thousand dollars, same to be assessed upon the metropolitan parks district	50,000 00	District's proportion to construct certain highway in Revere.
689b	For the metropolitan parks district's proportion of the cost of the bridge over the Aberjona river, in the town of Winchester, as authorized by chapter three hundred and seventy-four of the acts of the present year, a sum not exceeding five thousand dollars, the same to be assessed upon the metropolitan parks district	5,000 00	District's proportion of cost of bridge over Aberjona river in Winchester.
	Total	\$89,500 00	
General Fund	\$1,108,745 00		
Metropolitan District Commission	89,500 00		

SECTION 3. This act shall take effect upon its passage.
Approved June 13, 1922.

RESOLVES.

RESOLVE PROVIDING FOR THE DISTRIBUTION OF THE *Chap. 1*
GENERAL LAWS TO CERTAIN MEMBERS OF THE PRESENT
GENERAL COURT.

Resolved, That the state secretary, in distributing the General Laws and the index thereto to members of the general court in accordance with chapter ninety of the resolves of nineteen hundred and twenty, shall also distribute one copy thereof to each member of the present general court who was not a member of the general court of nineteen hundred and twenty.

Distribution of General Laws to certain members of present general court.

Approved February 8, 1922.

RESOLVE VALIDATING THE ACTS OF CHARLES W. EMBURY *Chap. 2*
OF HOLYOKE AS A NOTARY PUBLIC.

Resolved, That the acts of Charles W. Embury of Holyoke as a notary public, between February fourth, nineteen hundred and twenty-one, and January sixth, nineteen hundred and twenty-two, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Acts of Charles W. Embury as a notary public validated.

Approved February 8, 1922.

RESOLVE VALIDATING THE ACTS OF HARRY H. KENT OF *Chap. 3*
RANDOLPH AS A JUSTICE OF THE PEACE.

Resolved, That the acts of Harry H. Kent of Randolph as a justice of the peace, between May eleventh and October fourteenth in the year nineteen hundred and twenty-one, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Acts of Harry H. Kent as a justice of the peace validated.

Approved February 8, 1922.

RESOLVE IN FAVOR OF THE TOWN OF CHESTER. *Chap. 4*

Resolved, That the department of education is hereby authorized to approve the payment to the town of Chester, out of that part of the proceeds of the tax on incomes available for educational purposes under chapter seventy of the

In favor of town of Chester.

General Laws, the sum of twenty-nine hundred and thirty-five dollars, being the amount in addition to the sums already received which the town would have received in past years under authority of said chapter seventy except for errors in the claims for reimbursement filed with said department.

Approved March 17, 1922.

- Chap.* 5 RESOLVE EXTENDING THE TIME WITHIN WHICH THE COMMISSION TO ASCERTAIN THE MOST APPROPRIATE METHODS OF CARING FOR THE GRAVES OF AMERICAN DEAD IN FOREIGN SOIL SHALL FILE ITS FINAL REPORT.

Time extended within which commission to ascertain most appropriate methods of caring for graves of American dead in foreign soil shall file its final report.

Resolved, That the time within which the commission to ascertain the most appropriate methods of caring for the graves of American dead in foreign soil, appointed under chapter six hundred and sixteen of the acts of nineteen hundred and twenty, and revived and continued by chapter four hundred and forty-eight of the acts of nineteen hundred and twenty-one, shall file its final report, is hereby extended to March fifteenth in the current year.

Approved March 17, 1922.

- Chap.* 6 RESOLVE CONFIRMING THE ACTS OF JOHN H. CRAIG AS A JUSTICE OF THE PEACE.

Acts of John H. Craig as a justice of the peace confirmed.

Resolved, That the acts of John H. Craig of Natick as a justice of the peace, between February fourth, nineteen hundred and twenty-one, and February sixteenth, nineteen hundred and twenty-two, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Approved March 24, 1922.

- Chap.* 7 RESOLVE AUTHORIZING THE PAYMENT OF AN ANNUITY FROM THE TREASURY OF THE COMMONWEALTH TO WILMA D. BENT.

Payment of annuity to Wilma D. Bent.

Resolved, That, from and after January first, nineteen hundred and twenty-two, there be allowed and paid from the treasury of the commonwealth to Wilma D. Bent an annuity of two hundred dollars for the term of five years, payable in equal quarterly instalments, said Wilma D. Bent being the widow of George O. Bent, deceased, who was granted an annuity by the commonwealth for injuries received by him at the reformatory prison for women which finally resulted in his death.

Approved March 24, 1922.

RESOLVE AUTHORIZING THE PAYMENT OF AN ANNUITY TO *Chap. 8*
 ELLA RAYMOND OF MALDEN.

Resolved, That there be allowed and paid out of the treasury of the commonwealth an annuity of three hundred dollars to Ella Raymond of Malden, formerly of Lowell, whose husband was rendered unable to labor by injuries received in the discharge of militia duty at Framingham. Said annuity shall begin on January first, nineteen hundred and twenty-two, shall be paid quarterly and shall continue for the term of five years should said Ella Raymond so long survive.

Payment of
annuity to
Ella Raymond
of Malden.

Approved March 24, 1922.

RESOLVE IN FAVOR OF JOHN KOHURT OF PEABODY. *Chap. 9*

Resolved, That there be allowed and paid out of the treasury of the commonwealth to John Kohurt, of Peabody, who is now incapacitated as a result of injuries sustained while in the performance of his duty as a member of the National Guard, an annuity of five hundred dollars, payable in monthly instalments, for a period of three years beginning April first, nineteen hundred and twenty-two.

In favor of
John Kohurt
of Peabody.

Approved March 24, 1922.

RESOLVE IN FAVOR OF THE WIDOW OF DAVID WALTER TOWLE. *Chap. 10*

Resolved, That there be allowed and paid out of the state treasury from item numbered two hundred and thirty of the general appropriation act of the current year the sum of one thousand dollars to Ellen G. Towle, widow of David Walter Towle, for the benefit of herself, the said David Walter Towle having died on August thirty-first, nineteen hundred and nineteen, from injuries received in the discharge of his duties as a lieutenant of the fire department of the city of Boston while responding to an alarm of fire on or about July twenty-fifth, nineteen hundred and eighteen.

In favor of
widow of
David Walter
Towle.

Approved March 27, 1922.

RESOLVE PROVIDING FOR AN INVESTIGATION OF THE LAWS, *Chap. 11*
 RULES, REGULATIONS AND CONDITIONS AFFECTING PILOTS
 FOR THE PORTS OF THE COMMONWEALTH.

Resolved, That the attorney general, or an assistant attorney general designated by him, and the division of waterways and public lands of the department of public works, acting

Investigation
of laws, rules,
etc., affecting
pilots for ports
of common-
wealth.

jointly, shall investigate the laws, rules, regulations and conditions affecting pilots for the ports of the commonwealth, and shall report to the next annual session of the general court, on or before the second Wednesday in January, its findings, with such recommendations as may seem advisable.

Approved March 27, 1922.

Chap. 12 RESOLVE RELATIVE TO A CERTAIN APPROPRIATION FOR THE IMPROVEMENT OF BEVERLY HARBOR.

Certain appropriation for improvement of Beverly harbor to continue to be available, etc.

Resolved, That the sum of fifty thousand dollars allowed by chapter one hundred and thirty-eight of the resolves of nineteen hundred and fourteen for the improvement of Beverly harbor shall continue to be available for the purposes, and subject to the conditions, stated in chapter two hundred and twenty-one of the Special Acts of nineteen hundred and nineteen, for the period of three years after the passage of this resolve.

Approved March 27, 1922.

Chap. 13 RESOLVE IN FAVOR OF ELIZABETH MILLS COOMBS OF MASHPEE.

In favor of Elizabeth Mills Coombs of Mashpee.

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments, from January first, nineteen hundred and twenty-two, the sum of one hundred and fifty dollars to Elizabeth Mills Coombs of Mashpee, a descendant of the Pequot tribe of Indians. Said annuity shall continue during her life.

Approved March 31, 1922.

Chap. 14 RESOLVE IN FAVOR OF SUSANNA ATTAQUIN AVANT OF BARNSTABLE.

In favor of Susanna Attaquin Avant of Barnstable.

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments, from January first, nineteen hundred and twenty-two, the sum of one hundred and fifty dollars to Susanna Attaquin Avant of Barnstable, a descendant of the Mashpee tribe of Indians. Said annuity shall continue during her life.

Approved March 31, 1922.

Chap. 15 RESOLVE IN FAVOR OF OLIVIA T. GOVAN OF BOSTON.

In favor of Olivia T. Govan of Boston.

Resolved, That there be paid annually from the treasury of the commonwealth, in equal quarterly instalments, to Olivia T. Govan of Boston, a descendant of the Mashpee

tribe of Indians, the sum of one hundred and fifty dollars. Payment of said annuity shall begin December first in the current year and shall continue during her life.

Approved March 31, 1922.

RESOLVE AUTHORIZING THE PURCHASE BY THE STATE SECRETARY OF CERTAIN TOWN RECORDS OF BIRTHS, MARRIAGES AND DEATHS OF THE TOWNS OF DEERFIELD AND MENDON. *Chap. 16*

Resolved, That the state secretary may purchase five hundred copies each of the record of births, marriages and deaths, previous to the year eighteen hundred and fifty, of the town of Deerfield and of Mendon, at a price not exceeding one and one half cents per page.

Purchase by state secretary of certain vital records of towns of Deerfield and Mendon.

Approved March 31, 1922.

RESOLVE PROVIDING FOR THE ERECTION IN CUBA OF TABLETS IN MEMORY OF THE SOLDIERS OF THE SECOND AND NINTH MASSACHUSETTS REGIMENTS OF INFANTRY, MASSACHUSETTS VOLUNTEER MILITIA, WHO LOST THEIR LIVES IN THE WAR WITH SPAIN. *Chap. 17*

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding two thousand dollars, to be expended under the direction of a commission of three persons to be appointed by the governor, for the erection of a suitable tablet or tablets at some prominent point in Cuba, in memory of the soldiers of the second and ninth Massachusetts regiments of infantry, Massachusetts volunteer militia, who lost their lives while representing the commonwealth in the service of the United States during the war with Spain. Plans and specifications for the proposed tablet or tablets shall be submitted to the governor and council for their approval before any expenditure hereunder is made.

Erection in Cuba of tablets in memory of certain soldiers who lost their lives in war with Spain.

Approved March 31, 1922.

RESOLVE IN FAVOR OF GEORGE I. ANNABLE OF NATICK. *Chap. 18*

Resolved, That the industrial accident board is hereby authorized and directed to consider the claim of George I. Annable of Natick, arising from an injury in the course of his employment as a laborer or teamster in the employ of the chief quartermaster at the arsenal in Framingham, on February fifth, nineteen hundred and twenty-one, as a valid claim for adjudication under chapter one hundred and

Industrial accident board to consider, etc., claim of George I. Annable of Natick.

fifty-two of the General Laws and to make an agreement in regard to compensation and medical and hospital expenses, on behalf of the commonwealth, with the said Annable, under the provisions of said chapter. Upon the filing of an agreement with the state auditor there shall be paid to the said Annable, from item numbered two hundred and twenty-four of the general appropriation act of the current year, such sums as may be due under said agreement.

Approved March 31, 1922.

Chap. 19 RESOLVE PROVIDING FOR A CONTINUANCE OF THE INVESTIGATION AS TO THE ADVISABILITY OF STANDARDIZING MUNICIPAL REGULATIONS RELATIVE TO PLUMBING AND DRAINAGE.

Continuance of investigation as to advisability of standardizing municipal regulations relative to plumbing and drainage.

Resolved, That the department of public health be authorized to continue the investigation, provided for by chapter nine of the resolves of nineteen hundred and twenty and further provided for by chapter forty of the resolves of nineteen hundred and twenty-one, relative to the advisability of revising and codifying the rules, regulations and ordinances of the various cities and towns of the commonwealth concerning plumbing, house drainage and like subjects. Report thereon shall be made to the general court not later than the second Wednesday in January, nineteen hundred and twenty-three.

Approved April 3, 1922.

Chap. 20 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE REGISTRAR OF MOTOR VEHICLES AS TO THE EXPEDIENCY AND FEASIBILITY OF LICENSING PERSONS ENGAGED IN THE BUSINESS OF REPAIRING MOTOR VEHICLES.

Investigation as to expediency, etc., of licensing persons engaged in business of repairing motor vehicles.

Resolved, That the registrar of motor vehicles is hereby directed to investigate as to the expediency and feasibility of licensing persons engaged in the business of repairing motor vehicles and to report to the next general court, not later than the first Saturday of January, nineteen hundred and twenty-three, such recommendations relative thereto as he deems advisable; provided, that this investigation shall be accomplished as a part of the ordinary routine work of the said registrar and shall not involve, either directly or indirectly, an additional expenditure of money.

Proviso.

Approved April 3, 1922.

RESOLVE ENABLING THE METROPOLITAN DISTRICT COM-
MISSION TO CONTINUE THE CONSTRUCTION OF THE WEST
ROXBURY PARKWAY IN THE CITY OF BOSTON. *Chap. 21*

Resolved, That the metropolitan district commission is hereby authorized and directed to lay out and construct, over land transferred to the care and control of said commission by chapter two hundred and seventy of the General Acts of nineteen hundred and fifteen, and known as the West Roxbury parkway, in the city of Boston, such roads as said commission may deem most advisable for facilitating public travel between Centre street and Weld street. For this purpose, said commission may expend any unexpended balances of the appropriations made by items numbered two hundred and forty-four and six hundred and thirty-eight of chapter six hundred and twenty-nine of the acts of nineteen hundred and twenty; and the time within which the balances of said appropriations shall be available for such purpose is hereby extended two years from the date of this resolve.

Continuation
by metro-
politan district
commission of
construction of
West Roxbury
parkway in
Boston.

Approved April 8, 1922.

RESOLVE PROVIDING FOR REPAIRS TO THE MASSACHUSETTS
SOLDIERS MONUMENT ON THE BATTLEFIELD OF AN-
TIENTAM. *Chap. 22*

Resolved, That the governor and council are hereby authorized to expend a sum, not exceeding one thousand dollars, for making necessary repairs to the masonry of the Massachusetts soldiers monument on the battlefield of Antietam, in the state of Maryland, and for making repairs and improvements in the fence and grounds adjacent thereto.

Repairs to
Massachusetts
soldiers monu-
ment on
battlefield of
Antietam.

Approved April 8, 1922.

RESOLVE IN FAVOR OF VERA A. COOPER.

Chap. 23

Resolved, That the compensation of Vera A. Cooper as clerical assistant in the office of the clerk of the supreme judicial court for the commonwealth, for the year ending October first, nineteen hundred and twenty-one, be established at the sum of nine hundred dollars, being the same compensation paid her predecessor in said office.

In favor of
Vera A.
Cooper.

Approved April 8, 1922.

Chap. 24 RESOLVE TO REIMBURSE THE WESTFIELD CAMPING CLUB
FOR THE CONSTRUCTION OF A FISH SCREEN.

Reimbursement
of Westfield
Camping Club
for construction
of fish screen.

Resolved, That there be allowed and paid out of item number two hundred and eighty-seven of the general appropriation act of the current year a sum not exceeding two hundred and thirty-nine dollars and four cents to the Westfield Camping Club, as reimbursement for the construction of a fish screen at the outlet of Big Pond in the town of East Otis.

Approved April 11, 1922.

Chap. 25 RESOLVE IN FAVOR OF THE WIDOW OF HENRY D. COOLIDGE.

In favor of
widow of
Henry D.
Coolidge.

Resolved, That there be allowed and paid from the treasury of the commonwealth to Rose M. Coolidge, widow of the late Henry D. Coolidge, clerk of the senate, the remainder of the salary to which he would have been entitled had he lived and continued to serve until the end of the current year.

Approved April 14, 1922.

Chap. 26 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO
ADDITIONAL HOSPITAL FACILITIES FOR THE TREATMENT OF
SURGICAL OR NON-PULMONARY TUBERCULOSIS.

Investigation
as to addi-
tional hospital
facilities for
treatment of
surgical or
non-pulmonary
tuberculosis.

Resolved, That the department of public health is hereby directed to investigate the feasibility of providing new or additional hospital accommodations for the treatment of surgical or non-pulmonary tuberculosis. Said department shall report its findings and recommendations, together with any legislation recommended by it, to the general court not later than the second Wednesday of January, nineteen hundred and twenty-three.

Approved April 14, 1922.

Chap. 27 RESOLVE IN FAVOR OF ALDEN J. FOSKETT.

In favor of
Alden J.
Foskett.

Resolved, That there be allowed and paid out of the treasury of the commonwealth, from item five hundred and twenty-four of the general appropriation act of the current year, to Alden J. Foskett, formerly an employee of the Massachusetts reformatory, a sum not exceeding five hundred dollars as full compensation for all damages suffered by him by reason of his dismissal from employment in said reformatory shortly after having entered such employment at the age of sixty-nine induced by an official representation that such employment would continue for several years.

Approved April 18, 1922.

RESOLVE PROVIDING FOR IMPROVEMENTS IN THE APPROACHES
TO THE SOLDIERS' HOME IN MASSACHUSETTS. *Chap. 28*

Resolved, That, after an appropriation has been made for the purpose, the department of public works is hereby authorized and directed to confer with the appropriate officials of the city of Chelsea relative to the improvement of certain streets or ways in the city of Chelsea leading to the Soldiers' Home in Massachusetts, and to expend for said improvement a sum not exceeding fifteen thousand dollars; provided, that, before any contracts therefor are made or work of construction thereon is begun, said city shall agree to contribute the sum of five thousand dollars as a part of the authorized expenditure of fifteen thousand dollars.

Improvements
in approaches
to Soldiers'
Home in
Massachusetts.

Proviso.

Approved April 22, 1922.

RESOLVE IN FAVOR OF ARTHUR P. RUSSELL OF WORCESTER. *Chap. 29*

Resolved, That there be allowed and paid out of the state treasury, from item numbered four hundred and ninety-six of the general appropriation act of the current year, the sum of thirty-nine dollars to Arthur P. Russell of Worcester as full compensation for damage to a bicycle owned by him caused by a collision with a truck operated by agents of the Worcester state hospital.

In favor of
Arthur P.
Russell of
Worcester.

Approved April 27, 1922.

RESOLVE PERMITTING THE REIMBURSEMENT OF ELLA M.
FOYE FOR TAXES PAID UNDER MISTAKE OF FACT. *Chap. 30*

Resolved, That the commissioner of corporations and taxation may, after hearing all parties in interest, certify to the state treasurer that Ella M. Foye of Worcester ought to be reimbursed in the sum of fifty dollars, the same being a portion of an inheritance tax assessed for the year nineteen hundred and sixteen, and paid by the said Ella M. Foye under mistake of fact, whereupon the sum so certified shall be allowed and paid by the state treasurer to the said Ella M. Foye from such appropriation as may hereafter be made. Chapter forty-eight of the resolves of nineteen hundred and twenty-one is hereby repealed.

Reimbursement
of Ella M.
Foye for taxes
paid under
mistake of
fact.

Repeal.

Approved May 2, 1922.

RESOLVE IN FAVOR OF JOHN J. BLATZ OF BOSTON.

Chap. 31

Resolved, That there be allowed and paid out of the state treasury, from the proceeds of the loan authorized by section two of chapter three hundred and sixty-seven of the General

In favor of
John J. Blatz
of Boston.

Acts of nineteen hundred and nineteen, to John J. Blatz of Boston the sum of six hundred dollars as compensation for injuries sustained by him in Readville, on November sixth, nineteen hundred and nineteen, as the result of being accidentally shot by a member of the Massachusetts State Guard. The said amount shall be paid only upon the filing with the state auditor of a release, duly executed by the said Blatz, agreeing that the said sum is received in full satisfaction of any and all claims against the commonwealth.

Approved May 2, 1922.

Chap. 32 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO GRADING AND MARKETING METHODS PREVAILING AMONG LOCAL TOBACCO GROWERS.

Investigation as to grading and marketing methods prevailing among local tobacco growers.

Resolved, That the department of agriculture is hereby directed to investigate present grading and marketing practices among growers of leaf tobacco with a view to recommending a system of grading whereby the tobacco growing industry in this commonwealth may be benefited through the adoption of more economical and scientific marketing methods, and may expend for such purpose such sums as may hereafter be appropriated therefor by the general court.

Approved May 2, 1922.

Chap. 33 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO OPPORTUNITIES AND METHODS FOR HIGHER EDUCATION IN THE COMMONWEALTH.

Investigation as to opportunities and methods for higher education in commonwealth.

Resolved, That a commission of seven persons be appointed by the governor to inquire into and report upon the opportunities and provisions for technical and higher education within the commonwealth; and the need of supplementing the same and the methods of doing so and whether said methods should include the establishment of a state university, or further co-operation on the part of the commonwealth with existing institutions, or otherwise. The commission shall report the result of its investigation to the next annual session of the general court on or before the first Wednesday in February. The members of the commission shall serve without pay, but may expend for expert, clerical and other assistance such sum, not exceeding ten thousand dollars, as the governor and council may approve.

Approved May 9, 1922.

RESOLVE PROVIDING FOR AN INQUIRY BY THE COMMISSION *Chap. 34*
ON THE NECESSARIES OF LIFE INTO CONDITIONS AFFECT-
ING THE DISTRIBUTION OF MEAT PRODUCTS.

Resolved, That the commission on the necessities of life be directed to inquire into the subject of the retail marketing and distribution of meat products, and conditions affecting the prices of such products. Said commission is also directed to consider to what extent the establishment and maintenance of public slaughter houses, with facilities for the distribution of their products, would bring relief to the consumer in the form of lower prices for and improved quality of such products. The commission may advise with the department of agriculture and the Massachusetts Agricultural College, and any information which said department or college may have on the subject-matter of this resolve shall be made available to said commission. The commission shall report the results of its investigation, together with its recommendations and drafts of bills embodying the same, to the general court not later than the second Wednesday in January, nineteen hundred and twenty-three.

Inquiry by commission on the necessities of life into conditions affecting distribution of meat products.

Approved May 12, 1922.

RESOLVE PROVIDING FOR AN INVESTIGATION OF THE EX- *Chap. 35*
PEDIENTY AND COST OF COMPLETING THE OLD COLONY
BOULEVARD, SO-CALLED, IN THE CITY OF BOSTON, AND
THE CONSTRUCTION AND MAINTENANCE OF CERTAIN HIGH-
WAYS OR PARKWAYS IN THE CITY OF QUINCY.

Resolved, That the department of public works and metropolitan district commission, acting jointly, are hereby directed to investigate the expediency and cost of completing land takings for and constructing the parkway or boulevard, sometimes called the Old Colony boulevard, authorized by chapter six hundred and ninety-nine of the acts of nineteen hundred and twelve, as amended by chapter two hundred and twenty-eight of the General Acts of nineteen hundred and fifteen, including all bridges, culverts, filling, sea walls and other works or structures which may be required; the expediency and cost of constructing and maintaining for highway and parkway traffic that part of Hancock street in the city of Quincy between the Neponset bridge and the Quincy shore reservation drive; the expediency and cost of construct-

Investigation of expediency and cost of completing Old Colony boulevard, so-called, in Boston, and construction and maintenance of certain highways or parkways in Quincy.

ing and maintaining an extension of Furnace brook parkway in the city of Quincy from Blacks creek, so-called, southerly to a junction with Washington street in said city, and of either a highway or parkway connection from said junction to Quincy avenue in said city; and the cost of all intervening takings and construction, except the Neponset bridge, necessary to form a continuous highway between said points. Said department and commission shall include in said investigation any changes in route or alternative or additional routes to facilitate public travel from Boston and Quincy to points on the south shore and the cape, together with estimates of the cost thereof. They shall report their findings and recommendations, together with drafts of bills embodying the same, to the general court not later than the second Wednesday in January, nineteen hundred and twenty-three.

Approved May 12, 1922.

Chap. 36 RESOLVE PROVIDING FOR AN INVESTIGATION AS TO THE EXPEDIENCY OF LICENSING CONTRACTORS AND DEALERS IN MILK AND CREAM AND RELATED MATTERS.

Investigation as to expediency of licensing contractors and dealers in milk and cream and related matters.

Resolved, That the department of agriculture is hereby directed to investigate the purchase, collection and shipment at wholesale of milk and cream by contractors or dealers, and such other related matters as are contained in house bill number six hundred and thirty-nine of the current year, with special reference to the feasibility and expediency of licensing such contractors and dealers, and to report its recommendations, together with drafts of bills embodying the same, to the general court, not later than the second Wednesday in January, nineteen hundred and twenty-three.

Approved May 12, 1922.

Chap. 37 RESOLVE PROVIDING FOR A REVISION OF CERTAIN LAWS RELATING TO BANKS AND BANKING.

Provision for a revision of certain laws relating to banks and banking.

Resolved, That a special committee, to consist of two senators to be designated by the president of the senate, and three representatives to be designated by the speaker of the house of representatives, shall examine, and recommend a rearrangement and revision of the laws relating to investments of savings banks and savings departments of trust companies and of the laws relating to foreign banks and to deposits with others than banks, and of such other provisions of the laws relating to banks and banking as they deem ad-

visible. The committee may expend for clerical and other assistance such sums as may be approved by the governor and council and shall report its recommendations to the general court not later than the second Wednesday in January, nineteen hundred and twenty-three.

Approved May 22, 1922.

RESOLVE PROVIDING FOR THE ESTABLISHMENT IN THE STATE HOUSE OF A MEMORIAL IN RECOGNITION OF THE SERVICES OF THE LATE LIEUTENANT-COLONEL CHARLES W. WHITTLESEY, THE LATE MICHAEL J. PERKINS AND THE LATE GEORGE DILBOY. Chap. 38

Resolved, That a special commission to consist of two members of the house of representatives to be designated by the speaker, two members of the senate to be designated by the president, and two other persons to be appointed by the governor, shall provide for the establishment within the state house, with the approval of the art commission, of a suitable joint memorial to preserve for the future the commonwealth's regard for the heroic services of the late Lieutenant-Colonel Charles W. Whittlesey, formerly major of the three hundred and eighth infantry of the seventy-seventh division, of the late private first class Michael J. Perkins of company D, one hundred and first infantry of the twenty-sixth division and of the late private George Dilboy of company H, one hundred and third infantry of the twenty-sixth division, all of whom were awarded the congressional medal of honor. The members of the commission shall serve without pay, but there may be expended such sum, not exceeding three thousand dollars, as may hereafter be appropriated by the general court to cover the expense of the preparation and placing of said memorial in the state house. Establishment in state house of memorial in recognition of services of late Lieutenant-Colonel Charles W. Whittlesey, late Michael J. Perkins and late George Dilboy.

Approved May 23, 1922.

RESOLVE ESTABLISHING A SPECIAL COMMISSION TO INVESTIGATE PROBLEMS RELATING TO MUNICIPAL EXPENDITURES AND TAXATION. Chap. 39

Resolved, That a special commission is hereby established, to consist of two members of the senate to be appointed by the president, four members of the house of representatives to be appointed by the speaker, and three persons to be appointed by the governor. Special commission to investigate problems relating to municipal expenditures and taxation.

The commission shall choose its chairman, and shall be known as the commission on municipal expenditures and

Scope of investigation.

taxation. It shall be the duty of the commission to investigate and consider city and town expenditures and tax levies, the functions and duties of cities and towns and the possibility of reducing or controlling municipal expenditures and taxes, including the following problems:

(1) Whether cities and towns are sufficiently limited by law relative to the purposes for, and the amounts to which, they may appropriate funds.

(2) Whether cities and towns are now required by law to undertake unwise or unnecessary activities and expend funds therefor.

(3) What, if any, statutory liability now exists, relative to cities and towns which may be safely and properly removed.

(4) Ways and means whereby municipal levies upon real estate and tangible personal property may be controlled and reduced.

(5) Whether any special taxes or license fees should be provided to relieve the burden of municipal taxation upon real estate and tangible personal property.

(6) To what extent, special acts authorizing the borrowing of money outside the debt limit for municipal purposes and authorizing the payment of pensions and other claims not authorized by law may be done away with by the passage of general legislation.

Report.

The commission shall report its findings, with such recommendations and drafts of such legislation as it may deem expedient, to the next annual session of the general court by filing the same with the clerk of the house of representatives on or before the second Wednesday in January, nineteen hundred and twenty-three. Upon the filing of such report, the existence of the commission shall terminate. The commission shall be furnished with suitable rooms in the state house, may hold public hearings, may require by summonses the attendance and testimony of witnesses and the production of books and papers relating to any matter under investigation, and may administer oaths to witnesses testifying before it. Such summonses shall be issued and such oaths administered by the chairman of the commission. A witness who gives false testimony or who fails to appear when duly summoned shall be subject to the same penalties to which a witness before a court is subject when so offending.

To have rooms in state house, etc.

May summon witnesses, etc.

Expenditures.

The commission may expend such sums for expenses, travel, clerical and other assistance as may be approved by the gov-

ernor and council, but not exceeding such sum as the general court may appropriate; provided, that the members of the commission shall not receive reimbursement except for expenses actually incurred in the discharge of their duties. The commission may avail itself of the services of the department of corporations and taxation and other departments in possession of information bearing on the subject matter under investigation.

Approved May 23, 1922.

RESOLVE PROVIDING FOR AN INVESTIGATION OF THE PRESENT SEWERAGE SYSTEM OF THE CITIES OF SALEM AND PEABODY AND ALSO FOR AN INVESTIGATION AS TO THE CAUSES OF POLLUTION OF THE NORTH RIVER IN SAID CITIES. Chap. 40

Resolved, That the department of public health is hereby authorized and directed to investigate the condition of North river in the cities of Peabody and Salem, to examine thoroughly the present condition, capacity and operation of the main trunk sewer, constructed under authority of chapter three hundred and fifty-three of the acts of nineteen hundred and one and acts in amendment thereof and in addition thereto, and its principal tributary sewers, the pumping station and all appurtenances thereof, and all questions pertaining to said system of sewerage works which said department may deem necessary to consider in order to determine the cause of the objectionable conditions in said North river. Said department shall after such an examination determine what measures and means are necessary for improving said system and removing any nuisance or objectionable condition in said North river or any tributary thereof. Said department may examine, in connection with this investigation, all tributary sewers in said cities and may enter the premises of any manufacturing establishment to determine whether sewage or waste is discharged therefrom either into said sewer or into said river and ascertain the amount and character of such sewage or waste. If as a result of its investigations, the department finds that it is necessary or desirable to construct additional works or modifications in existing works or to provide other means for collecting, removing, storing or purifying said sewage or waste, it shall make such recommendations as it finds necessary or desirable and shall prepare plans of said works and estimates of the probable cost thereof.

Investigation of present sewerage system of cities of Salem and Peabody and also as to causes of pollution of North river in said cities.

Expenditures.

The total expenditures incurred by the said department under this resolve shall not exceed ten thousand dollars. The expenditures so incurred shall be reported by the said department to the governor and council and shall, when approved by them, be paid out of the state treasury. The commonwealth shall be reimbursed by the cities of Salem and Peabody for such expenditures under this resolve as shall be approved as aforesaid. Each city shall pay to the state treasurer such portion of the said total expenditures as the said department shall determine, and thereupon the amount so apportioned to each city shall be assessed and collected by the state treasurer from each of the said cities in the manner provided and at the time required for the assessment and payment of state tax.

Reimbursement
of common-
wealth by
Salem and
Peabody.

Reports, etc.

Said department shall make all reports required by this resolve to the general court on or before the second Wednesday in January, nineteen hundred and twenty-three, accompanied by such drafts of proposed legislation as may be necessary to carry said recommendations into effect.

Approved May 27, 1922.

Chap. 41 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE REGISTRATION OF MOTOR VEHICLES.

Investigation
relative to
registration of
motor vehicles.

Resolved, That a special commission is hereby established, to consist of a representative of the department of public works, to be designated by the commissioner of public works, a representative of the state secretary, to be designated by the state secretary, one member of the senate, to be designated by the president of the senate, and two members of the house of representatives, to be designated by the speaker of the house of representatives, for the purpose of making an investigation relative to the registration of motor vehicles, substantially as follows:

Scope of
investigation.

It shall make a study of methods used in the different states where branch agencies are in operation for the registration of motor vehicles and licensing motor vehicle operators, which shall include the number of agencies established, the expense of operating the same, the promptness and efficiency of service, the convenience to the public resulting from such agencies, the difficulties encountered in making satisfactory records, and all other matters incident to the systems established in the different states for registering motor vehicles under authority of state laws. It shall make

a study of all records in the Massachusetts motor vehicle registry to enable it to report to the general court the approximate number of vehicles registered in each city and town, the estimated expense involved in providing number plates through a single agency in each city and town in the commonwealth, and the effect of the establishment of such branch agencies upon records that are deemed essential to a proper safeguarding of the public in the matter of registering motor vehicles and licensing operators thereof. It shall submit detailed figures to show the estimated cost of the creation of

(a) Branch agencies in all cities and towns of the commonwealth;

(b) County agencies in all the counties of the commonwealth;

(c) Central points for selected agencies best adapted in its judgment to serve the public.

In connection with the foregoing investigation the commission is directed to furnish all other information in its possession bearing upon the desirability of changing the present method by the establishment of one or more branch agencies. It shall report in print the result of its investigation to the general court on or before the second Wednesday in January, nineteen hundred and twenty-three, with such recommendations for legislation, and drafts of bills embodying the same, as it may deem expedient.

Furnishing of
certain in-
formation.

Report, etc.

For the purpose of conducting said investigation the commission may employ such investigating agents as it deems necessary, and may expend for such investigation, including the cost of printing the report and for necessary travel, such sum, not exceeding one thousand dollars, as may be hereafter appropriated.

Employment
of agents,
expenditures,
etc.

Approved May 29, 1922.

RESOLVE RELATIVE TO THE PREPARATION AND SALE OF THE GENERAL LAWS IN A SPECIAL FORM.

Chap. 42

Resolved, That the state secretary may provide for the sale of the volumes of the General Laws in such form, "loose-leaf", so-called, or otherwise, as may best render said volumes adaptable for insertion therein of the annual laws as enacted, and may sell the same to applicants at a price sufficient to cover the cost. He may arrange for supplying said applicants, at a price sufficient to cover the cost, with the annual laws as enacted, in a form best adapted to insert in said volumes.

Preparation
and sale of
General Laws
in special
form.

Approved June 2, 1922.

Chap. 43 RESOLVE ESTABLISHING A SPECIAL COMMISSION TO INVESTIGATE PROBLEMS RELATING TO PREVENTION OF UNEMPLOYMENT, TO UNEMPLOYMENT COMPENSATION, AND TO MINIMUM WAGE.

Special commission to investigate problems relating to prevention of unemployment, to unemployment compensation, and to minimum wage.

Resolved, That an unpaid special commission is hereby established, to consist of two members of the senate to be designated by the president, four members of the house of representatives to be designated by the speaker, and three other persons not members of the general court to be appointed by the governor with the advice and consent of the council, which shall investigate unemployment in Massachusetts and the extent, nature and causes thereof, and what measures may be taken, either through legislation, community effort, private initiative, or otherwise; (a) toward decreasing unemployment by removing so far as possible seasonal fluctuations, by checking overexpansion and consequent contraction and depression, by establishing reserves from the profits of normal times for the stabilization of industry, or otherwise; (b) toward helping those seeking employment to find employment by extending the free employment service, by co-ordinating local agencies, or otherwise; and (c) toward providing relief by insurance, by advance planning and reserving of public works for periods of unemployment, or otherwise, for those who are involuntarily unemployed.

The commission shall also investigate the question of the operation and administration of the minimum wage law, and its effect on the industries and on the employees in the industries for which minimum wages have been established or may be established under the law, and whether mandatory effect should be given to the decisions of the wage board or the law should be otherwise extended, amended or repealed, and it shall investigate particularly the subject matter of house documents one hundred and eleven, one hundred and twelve and seven hundred and seventy-eight, and senate documents two hundred and sixty, two hundred and sixty-one and two hundred and seventy-eight of the current year.

Certain departments to co-operate with commission.

The departments of industrial accidents, of labor and industries and of banking and insurance are authorized and directed to co-operate with the commission in every way feasible, in carrying out the purposes of this resolve.

Report, etc.

The commission shall report its findings, with such recommendations and drafts for such legislation as it may deem

expedient, to the next annual session of the general court, by filing the same with the clerk of the house of representatives on or before the second Wednesday of January, nineteen hundred and twenty-three. Upon the filing of such report the existence of the commission shall terminate. The commission shall be furnished with rooms in the state house, and shall hold public hearings.

Termination
of existence,
etc.

The commission may incur such reasonable expenses, including such sums for traveling, clerical and other assistance, as may be approved by the governor and council, not exceeding such sum as the general court may appropriate; provided, that the members of the commission shall not receive reimbursement except for expenses actually incurred in the discharge of their duties.

Expenditures.

Proviso.

Approved June 2, 1922.

RESOLVE CONFIRMING THE ACTS OF ARTHUR LONGLEY AS A NOTARY PUBLIC. *Chap. 44*

Resolved, That the acts of Arthur Longley, formerly of Boston and now of Wareham, as a notary public between February twelfth, nineteen hundred and twenty and May seventeenth, nineteen hundred and twenty-two, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Acts of Arthur
Longley as a
notary public
confirmed.

Approved June 2, 1922.

RESOLVE SIGNIFYING THE COMMONWEALTH'S ACCEPTANCE OF A STATUE OF ANNE HUTCHINSON. *Chap. 45*

Resolved, That the commonwealth hereby accepts from the donors, the Anne Hutchinson memorial association and the general federation of women's clubs of Massachusetts, the bronze statue, executed by Cyrus E. Dallin, of Anne Hutchinson, the same to be placed on a site approved by the governor and council in front of the westerly wing of the state house.

Common-
wealth's accept-
ance of a
statue of Anne
Hutchinson
signified.

Approved June 2, 1922.

RESOLVE RELATIVE TO THE PLACING IN THE STATE HOUSE OF SUITABLE MEMORIALS COMMEMORATING THE SERVICES IN THE WORLD WAR OF MILITARY UNITS COMPOSED OF MASSACHUSETTS SOLDIERS. *Chap. 46*

Resolved, That a special commission, consisting of two members of the senate to be appointed by the president of the senate, four members of the house of representatives to be

Special
commission
to consider
matter of
placing in state

house of
suitable me-
morials
commemorating
services in
world war of
military units
composed of
Massachusetts
soldiers.

appointed by the speaker, and three persons to be appointed by the governor, consider the matter of the construction and erection within the state house of a suitable and fitting memorial or memorials to commemorate the services in the world war of military units composed of Massachusetts soldiers. The commission shall consider and determine the form of such memorial or memorials and the probable cost thereof, and shall select a suitable place for the location thereof within the state house. The commission shall report its recommendations to the next annual session of the general court not later than the second Wednesday in January.

Approved June 2, 1922.

Chap. 47 RESOLVE IN FAVOR OF MAUDE L. BARLOW OF NEWBURY-
PORT.

In favor of
Maude L.
Barlow of
Newburyport.

Resolved, That there be allowed and paid from the treasury of the commonwealth to Maude L. Barlow of Newburyport the sum of sixty dollars as reimbursement for the burial in December, nineteen hundred and twenty-one, of Joseph Barlow, a veteran of the civil war. Said payment shall be made from item number one hundred and forty-seven of the general appropriation act for the current year.

Approved June 7, 1922.

Chap. 48 RESOLVE RELATIVE TO THE STATE PRINTING.

Relative to
state printing.

Resolved, That the attorney general, the secretary of the commonwealth, the treasurer and receiver general, the auditor of the commonwealth, the supervisor of administration, the clerk of the senate and the clerk of the house of representatives are hereby directed to advertise for proposals for the execution of all the printing and binding for the several departments of the government of the commonwealth, except office stationery and blank books without printed headings and such printing as may be done at any state institution for its departmental use, for a term of two or five years from the first day of July in the year nineteen hundred and twenty-two. They shall take into consideration the circumstance and facilities of the several bidders for the work as well as the terms offered; they may reject any bids received, and they shall award the contract to such bidder as in their judgment the interests of the commonwealth may require, and they shall execute the contract in the name and behalf of the commonwealth. Bonds satisfactory to the said officers, to an

amount not less than ten thousand dollars, shall be given by the party to whom the contract is awarded, to secure the faithful performance of the contract.

Approved June 7, 1922.

RESOLVE IN FAVOR OF HENRY C. ETTLING OF SPRINGFIELD. *Chap. 49*

Resolved, That after an appropriation has been made for the purpose, there shall be paid to Henry C. Ettling of Springfield, the sum of five hundred dollars in compensation for loss of health due to having contracted tuberculosis while serving the commonwealth as a member of the State Guard, and that all charges for care and treatment of the said Henry C. Ettling at the Westfield state sanatorium are hereby remitted.

In favor of
Henry C.
Ettling of
Springfield.

Approved June 7, 1922.

RESOLVE PROVIDING FOR AN INVESTIGATION INTO THE DISTRIBUTION AND SALE OF GASOLINE AND OTHER REFINED PETROLEUM PRODUCTS. *Chap. 50*

Resolved, That the special commission on the necessities of life be authorized and directed to inquire into the subject of the retail distribution and sale of gasoline and refined petroleum products, with special reference to the means and methods whereby competition in such sale and distribution has been substantially eliminated and conditions of monopoly established. The commission is also directed to consider the subject matter of senate bill number forty-seven, and consider to what extent the objects sought to be accomplished by said bill may be constitutionally attained.

Special commission on the necessities of life to investigate into distribution and sale of gasoline and other refined petroleum products.

The attorney general is hereby directed to place at the disposal of the commission the services of an assistant attorney general for the purposes of the investigation herein provided for. For said purposes, the commission may exercise all the powers conferred upon it by chapter three hundred and twenty-five of the acts of nineteen hundred and twenty-one and chapter three hundred and forty-three of the acts of the current year, and the said products shall, for the purposes of this investigation be deemed "necessaries of life" within the meaning of said chapters three hundred and twenty-five and three hundred and forty-three. The commission shall report the results of its investigation to the general court not later than the second Wednesday in January, nineteen hundred and twenty-three, with drafts of such proposed legislation as may be necessary to carry its recommendations into effect.

To have services of an assistant attorney general. Exercise of certain powers.

Said products deemed to be "necessaries of life", etc.

Report, etc.

Approved June 8, 1922.

Chap. 51 RESOLVE RELATIVE TO THE CONSTRUCTION OF A PARKWAY AND TRAFFIC ROAD FROM BOSTON TO THE MIDDLESEX FELLS PARKWAY.

Special commission to consider construction of a parkway and traffic road from Boston to Middlesex Fells parkway.

Resolved, That a special commission, to consist of the commissioner of public works and the commissioner of the metropolitan district commission, is hereby directed to select a route for a parkway and traffic road from Boston to the Middlesex Fells Parkway via Wellington bridge and prepare plans for, and determine the method of financing, the construction of the same, and to report to the general court, with recommendations, not later than the second Saturday in January, nineteen hundred and twenty-three.

Approved June 12, 1922.

Chap. 52 RESOLVE MAKING PROVISION FOR AN INVESTIGATION AS TO THE DESIRABILITY OF PROVIDING FOR THE AID OF CERTAIN PHYSICALLY HANDICAPPED PERSONS OTHER THAN THE BLIND, AND FOR THEIR TEMPORARY RELIEF DURING THE CURRENT YEAR.

Special commission to investigate as to desirability of providing for aid of certain physically handicapped persons other than the blind.

Resolved, That a special commission is hereby established, to consist of the commissioner of public welfare, the chairman of the industrial accident board, the director of the commission for the blind and the director of vocational education, which shall investigate and report to the general court, not later than the second Wednesday in January, nineteen hundred and twenty-three, as to the desirability of providing by law for the relief of physically handicapped persons other than the blind. Such report shall include drafts of such legislation as may be recommended. The commission shall serve without compensation, and may expend from any appropriation made for the purpose such sums as may be approved by the governor and council.

Commissioner of public welfare may furnish aid during current year, etc.

For the purpose of furnishing aid during the current year, in accordance with this paragraph, to any needy wheelchair cripple, or other needy physically handicapped person, other than a blind person, the commissioner of public welfare, subject to such regulations as may be adopted by the special commission established hereunder, may expend such sum not exceeding ten thousand dollars as may be appropriated. Such aid shall be allowed only upon application and to such persons as, in the opinion of the commissioner of public welfare, are permanently disabled to such an extent that they

are unable through their own efforts to contribute to their own support, and in amounts not in excess of ten dollars a week; provided, however, that the commissioner shall not undertake the permanent maintenance of any such person; and provided, further, that no insane person, or person who has not become physically handicapped while residing in this commonwealth or who shall not have resided in this commonwealth for at least five consecutive years, shall receive any such aid.

Provisos.

Approved June 13, 1922.

RESOLVE PROVIDING FOR INVESTIGATING THE MATTER OF A WATER SUPPLY FOR THE CITY OF LAWRENCE AND THE TOWN OF METHUEN. Chap. 53

Resolved, That the department of public health be and hereby is authorized and directed to investigate the water supply needs and resources of the city of Lawrence and the town of Methuen. Said department shall determine the best method of supplying said municipalities with water and protecting the purity of the water. It shall make such surveys as may be necessary to determine upon sites suitable for storage reservoirs in the watershed of the Merrimack river within the limits of the commonwealth, with special reference to developing the highest practicable and economical yield for water supply purposes of said river for the use of said city and town. The department may incur, subject to the approval of the governor and council, such expenses as may be necessary to carry out the provisions of this resolve; but the total expenditure under this resolve shall not exceed five thousand five hundred dollars. Said department shall report to the next annual session not later than the second Wednesday in January and shall include in its report such drafts of legislation as it may deem necessary to carry out its recommendations.

Investigation of matter of a water supply for city of Lawrence and town of Methuen.

Approved June 13, 1922.

RESOLVE PROVIDING FOR THE PAYMENT TO THE WIDOW OF THE LATE REPRESENTATIVE WALTER S. HALE OF THE BALANCE OF THE SALARY TO WHICH HE WOULD HAVE BEEN ENTITLED FOR THE CURRENT SESSION. Chap. 54

Resolved, That, in consideration of his meritorious and conspicuous services to the United States during the Spanish war, together with his honorable service in the general court of this commonwealth, there be allowed and paid out of the treasury of the commonwealth to the widow of Walter S. Hale of Gloucester, who died while a member of the present

Payment to widow of Walter S. Hale, late member of house of representatives.

house of representatives, the balance of the salary of fifteen hundred dollars to which he would have been entitled had he lived and served until the end of the present session. The state treasurer is hereby directed to make the payment hereby authorized out of the appropriation made in item three of the general appropriation act.

Approved June 13, 1922.

Chap. 55 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF PUBLIC UTILITIES OF TRANSPORTATION FACILITIES WITHIN THE METROPOLITAN DISTRICT.

Investigation
by department
of public
utilities of
transportation
facilities within
metropolitan
district.

Resolved, That the department of public utilities, hereinafter called the department, is hereby directed to investigate the following problems relative to transportation facilities and the distribution of the cost of street railway, elevated and subway service within the metropolitan district:

(1) Better transportation facilities between the city of Boston and the cities of Chelsea, Revere, Everett and Malden, including the subject-matter of House 65, and that part of House 1665 relative thereto.

(2) Better transportation facilities between the West Roxbury and Hyde Park districts of the city of Boston and the city proper, including the subject-matter of that part of House 1665 relative thereto.

(3) The extension of rapid transit facilities in the Dorchester district of the city of Boston as proposed in House 1706 and Senate 514, giving a revised estimate of the cost of the entire work, together with the cost of all alterations in existing facilities which would be required, and considering the method of financing the undertaking and, among other questions, the advisability of the purchase by the city of Boston of rolling stock, and if advisable on what terms the expense should be financed and the rolling stock leased; the advisability of equipment of the proposed extension by said city, and if equipped by said city on what terms the expense should be financed and the equipment leased; whether if said rapid transit facilities are extended it is preferable for said city to purchase or to lease from the New York, New Haven and Hartford Railroad Company or the Old Colony Railroad Company the required rights of way along the main line of said Old Colony Railroad Company and the Shawmut branch of said railroad company, subject to freight trackage

rights, and the terms on which the same should be purchased or leased, having in view the easement retained by said railroads in the Shawmut branch and the cost of providing necessary protection for safe access of passengers to said rapid transit line over or under said main line and freight track.

The department is also directed to investigate the subject-matter of all petitions and accompanying bills affecting the Boston Elevated Railway Company filed in the general court during the current year and referred under the rules to the next annual session which provide for the fixing of fares, for the remission of taxes or subway rentals, reimbursement of the advances made by cities and towns in nineteen hundred and nineteen to meet the deficit in the cost of service, and other similar obligations, for public ownership or for any other changes consistent with existing contracts affecting fares, cost of service, ownership or management; and to gather and compile such information and figures as in the opinion of the department will be helpful to the general court and to the cities and towns served by the Boston Elevated Railway Company, in the consideration of these matters.

Investigation as to subject-matter of petitions, etc., affecting the Boston Elevated Railway Company filed in general court, etc.

The department shall investigate transportation service and facilities within the metropolitan district and such other cities and towns as may be determined by the department and the co-ordination of such service upon highways, waterways, railroads and street railways; what, if any, use of existing facilities of carriers by one or more of such methods can and should be made by others; the manner of effecting such co-relationship and what improvements and new facilities should be provided for a comprehensive and co-ordinated development of transportation for said district; and the relation of such service to the general service rendered by all highways, waterways, railroads and street railways in the commonwealth. It shall recommend the method of executing and paying for the same and shall make such maps, plans and estimates of costs as may be needed for its investigations and reports and may employ such assistants therefor as it deems necessary. The other departments and boards of the commonwealth and the street commissioners, planning boards and other officials of cities and towns comprising said district may, and upon request of the department shall, consult with it and furnish all facts and information requested within their knowledge or control.

Investigation as to transportation service, etc., within metropolitan district and certain other cities and towns, etc.

Co-operation by state departments, etc.

Certain information to be furnished.

The transit department of the city of Boston and the trustees of the Boston Elevated Railway Company are hereby directed to furnish the department with such information in their possession bearing on the subject-matter of this resolve as the department may request.

Report, etc.

The department shall report the results of its investigations and its recommendations on the above matters to the general court not later than the first Wednesday in January, nineteen hundred and twenty-three, together with estimates of the cost of any work recommended, recommendations as to how the cost should be met and drafts of legislation recommended.

Provisions as to construction of terminal in city of Everett, etc., suspended.

Pending the filing of the report of the department and action thereon by the general court, the provisions of section two of chapter three hundred and sixty-four of the Special Acts of nineteen hundred and seventeen relative to the construction of a terminal in the city of Everett by the Boston Elevated Railway Company shall be suspended.

Approved June 13, 1922.

INITIATIVE AND REFERENDUM PETITIONS

FILED IN THE OFFICE OF THE

SECRETARY OF THE COMMONWEALTH

UNDER

ARTICLE XLVIII OF THE AMENDMENTS
TO THE CONSTITUTION

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 3, 1922.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Initiative. II. Initiative Petitions. Section 3" (Article 79 of the Rearrangement of the Constitution), a petition was filed in this office December 7, 1921, by the required number of qualified voters (25,600) representing that there was need for legislation, either by the general court or by the people, to require the payment of interest monthly by certain savings institutions and accompanied by a Bill entitled, "An Act requiring savings banks, savings departments of trust companies and institutions for savings to pay interest on savings deposits monthly", together with the preliminary petition signed by ten qualified voters, and the certification of the Attorney-General that the measure was in proper form for submission to the people.

Initiative
petition filed
relative to the
payment of
interest
monthly by
certain savings
institutions.

Under date of January 4, 1922, said petition was transmitted by this office to the Clerk of the House of Representatives and was thereby deemed to be introduced and pending in the general court.

The general court having failed to enact the law in the form in which it stood in the petition before the first Wednesday of June, 1922, forms were supplied to the petitioners to obtain the required number of additional signatures for submission to the people at the biennial state election, November 7, 1922.

The completed number of additional signatures of qualified voters (5,000) was not filed by the first Wednesday of the following August (August 2, 1922) and accordingly the proposed law was not submitted to the people.

Proposed law
not submitted
to the people.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, July 26, 1922.

Petition filed
requesting
referendum on
chapter 331,
Acts of 1922.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Re-arrangement of the Constitution), a petition was filed in this office May 10, 1922, by the required number of qualified voters, asking for a referendum on Chapter 331, Acts of 1922, entitled, "An Act relative to the constabulary force in the department of public safety", approved April 26, 1922, and requesting that the operation of said law be suspended.

Operation of
law not sus-
pended.

The completed number of subsequent signatures of qualified voters was not filed within the ninety days required by the Constitution, terminating July 25, 1922, and the operation of said law is accordingly not suspended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 12, 1922.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Re-arrangement of the Constitution), a petition was filed in this office May 22, 1922, by the required number of qualified voters, asking for a referendum on Chapter 427, Acts of 1922, entitled, "An Act to carry into effect, so far as the Commonwealth of Massachusetts is concerned, the eighteenth amendment to the Constitution of the United States", approved May 17, 1922, and requesting that the operation of said law be suspended.

Petition filed
requesting
referendum on
chapter 427,
Acts of 1922.

Said petition was completed by the filing in this office August 11, 1922, of more than a sufficient number (22,972) of subsequent signatures of qualified voters of the Commonwealth and the operation of the law was suspended thereby. Said law will be submitted to the people at the state election November 7, 1922, for their approval or disapproval.

Operation of
law suspended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, August 12, 1922.

Petition filed
requesting
referendum on
chapter 459,
Acts of 1922.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Re-arrangement of the Constitution), a petition was filed in this office May 25, 1922, by the required number of qualified voters, asking for a referendum on Chapter 459, Acts of 1922, entitled, "An Act providing that district attorneys shall be members of the bar", approved May 22, 1922, and requesting that the operation of said law be suspended.

Operation of
law suspended.

Said petition was completed by the filing in this office August 9, 1922, of more than a sufficient number (21,347) of subsequent signatures of qualified voters of the Commonwealth and the operation of the law was suspended thereby. Said law will be submitted to the people at the state election November 7, 1922, for their approval or disapproval.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, September 12, 1922.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Re-arrangement of the Constitution), a petition was filed in this office June 24, 1922, by the required number of qualified voters, asking for a referendum on Chapter 545, Acts of 1922, entitled, "An Act establishing the commission on administration and finance", approved June 13, 1922, and requesting that the operation of said law be suspended.

Petition filed
requesting
referendum on
chapter 545,
Acts of 1922.

The completed number of subsequent signatures of qualified voters was not filed within the ninety days required by the Constitution, terminating September 11, 1922, and the operation of said law is accordingly not suspended.

Operation of
law not sus-
pended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY,
BOSTON, September 12, 1922.

Petition filed
requesting
referendum on
chapter 537,
Acts of 1922.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 3", (Article 97 of the Re-arrangement of the Constitution), a petition was filed in this office July 12, 1922, by the required number of qualified voters, asking for a referendum on Chapter 537, Acts of 1922, entitled, "An Act increasing the membership of the industrial accident board and providing for the appointment of a woman as a member thereof", approved June 13, 1922, and requesting that the operation of said law be suspended.

Operation of
law not sus-
pended.

The completed number of subsequent signatures of qualified voters was not filed within the ninety days required by the Constitution, terminating September 11, 1922, and the operation of said law is accordingly not suspended.

FREDERIC W. COOK,
Secretary of the Commonwealth.

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL WITHHELD, AND LIST OF ACTS VETOED AND DECLARED EMERGENCY LAWS BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION.

The general court, during its second annual session held in 1922, passed 545 Acts and 55 Resolves which received executive approval and one Act from which executive approval was withheld but has become law by virtue of chapter 1, section 1, Article 2 of the Constitution of the Commonwealth.

One (1) Act entitled, "An Act to prevent double trials in district courts and before trial justices", (Chapter 432) was passed, but failed to receive executive approval; as, however, it was not returned, with objections thereto, within five days after it had been received in the executive department, the general court not having been prorogued in the meantime, said act has the force of law, under the provisions of the Constitution governing such cases, and has been so certified.

Seven (7) Acts entitled, respectively, "An Act excluding the town of Dover from the Metropolitan Parks district and relieving it of expenses incident thereto"; "An Act permitting justices of the superior court to suspend the execution of sentences in criminal cases"; "An Act authorizing the reinstatement of Daniel J. O'Sullivan in the sanitary division of the department of public works of the city of Boston"; "An Act providing for the appointment of Richard Williams as a member of the fire department of the city of Quincy"; "An Act authorizing the reinstatement of James Kelly in the institutions department of the city of Boston"; "An Act directing the department of public works to provide for the construction or improvement of certain roads"; "An Act directing the department of public works to provide for the further construction and improvement of a certain highway in the towns of Rutland and Holden", and two (2) Resolves entitled, respectively, "A Resolve providing for the preparation of plans by the Metropolitan district commission for the filtration of the waters of Lake Cochituate and the

South Sudbury system" and "A Resolve providing for the payment to the widow of the late Representative Walter S. Hale of the balance of the salary to which he would have been entitled for the current session", were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts and resolves thereby became void. However a subsequent resolve, (Chapter 54), entitled, "A Resolve providing for the payment to the widow of the late Representative Walter S. Hale of the balance of the salary to which he would have been entitled for the current session" was passed and received executive approval.

Two (2) Acts passed at the session of the general court of 1922 entitled, respectively, "An Act reviving and continuing the commission to ascertain the most appropriate methods of caring for the graves of American dead in foreign soil and authorizing the acquisition of certain land in France for the erection thereon of a memorial" (Chapter 455), and "An Act providing for special grand juries" (Chapter 466) were declared to be emergency laws by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 455 thereby took effect at three forty-four o'clock P.M. on June 28, 1922 and said Chapter 466 took effect at five fifty-one o'clock P.M. on May 24, 1922.

The general court was prorogued on Tuesday, June 13, at 9.46 P.M., the session having occupied 161 days.

APPENDIX

The following tables and the index to the Acts and Resolves of the current year have been prepared by WILLIAM E. DORMAN, Esq., and HENRY D. WIGGIN, Jr., Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

TABLES

SHOWING

WHAT GENERAL LAWS OF THE COMMONWEALTH HAVE BEEN AFFECTED BY SUBSEQUENT LEGISLATION

I

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Consent to the acquisition by the United States of land and buildings in Rutland, 1922, 409.

Chapter 3. — The General Court.

Purchase and distribution of ancient journals of House of Representatives, 1920, 413; 1921, 170; 1922, 164.

For salaries of the present clerk and assistant clerk of the Senate, see 1922, 271.

Legislative supplies, etc., not required to be purchased through central purchasing agency, 1922, 545 §§ 10-12.

SECT. 9 amended, 1921, 498 § 1.

SECT. 18 amended, 1921, 367 § 1; revised, 1922, 366 § 1. (See 1921, 384.)

SECT. 20 amended, 1921, 498 § 2; 1922, 8.

SECT. 24 revised, 1921, 486 § 41.

SECT. 35 amended, 1921, 343.

SECT. 50 amended, 1922, 210.

SECT. 51 amended, 1922, 197.

SECT. 53 amended, 1922, 24 § 1.

Chapter 4. — Statutes.

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SECT. 7A added, 1922, 151 (relative to the filing and recording in the office of the State Secretary of certain certificates, articles and affidavits).

SECT. 10 amended, 1921, 145.

Chapter 5. — Printing and Distribution of Laws and Public Documents.

As to the preparation and sale of the General Laws in a special form, see 1922, Resolve 42.

As to state printing, see 1922, Resolve 48.

SECT. 3 amended, 1922, 198 § 1.

SECT. 4 amended, 1922, 198 § 2.

SECTS. 6, 8. See 1922, 545 §§ 1, 4, 17.

SECT. 11 revised, 1922, 319.

Chapter 6. — The Governor, Lieutenant Governor and Council, Certain Officers under the Governor and Council, and State Library.

Special Commission on the Necessaries of Life, 1921, 325; 1922, 343.

New Commission on Administration and Finance to serve under Governor and Council, 1922, 545 § 2.

SECT. 17. See 1922, 545 § 2.

SECT. 20 revised, 1922, 298.

SECT. 25 amended, 1922, 191.

SECT. 36 revised, 1922, 15.

Chapter 7. — Supervisor of Administration.

Office of Supervisor of Administration abolished and his rights, powers, duties and obligations transferred to new Commission on Administration and Finance, see 1922, 545.

SECTS. 6, 7. See 1922, 545 §§ 9-13.

SECT. 7 amended, 1921, 298.

SECTS. 8, 9, 11-15. See 1922, 545 §§ 4, 17.

SECT. 10. See 1922, 545 § 4.

SECT. 16. See 1922, 545 § 20.

Chapter 8. — Superintendent of Buildings, and State House.

SECTS. 3, 6, 8, 11. Rights, powers, duties and obligations of Superintendent of Buildings relative to purchasing and storeroom functions transferred to new Commission on Administration and Finance, see 1922, 545 §§ 1, 9.

SECT. 5 amended, 1922, 234.

SECT. 12 amended, 1921, 256.

SECT. 17 revised, 1921, 459 § 1.

SECT. 18 revised, 1921, 459 § 2.

SECT. 19A added, 1922, 320 (procuring of portraits and other suitable memorials of former Governors).

SECT. 21 added, 1922, 146 (regulating the establishment of permanent memorials in the State House).

Chapter 9. — Department of the State Secretary.

For salary of the present second deputy in the office of the State Secretary, see 1922, 372.

SECT. 2 revised, 1922, 370 § 1.

SECT. 6 amended, 1922, 427 § 3.

SECT. 10 amended 1922, 375.

SECT. 14. Rights, powers, duties and obligations of the State Secretary relative to the purchase of paper transferred to new Commission on Administration and Finance, see 1922, 545 §§ 1, 9.

SECT. 17 amended, 1922, 427 § 4.

SECT. 19. See 1922, 545 § 12.

Chapter 10. — Department of the State Treasurer.

For salaries of the present deputies in the office of the State Treasurer, see 1922, 323.

Rights, powers, duties and obligations of the State Treasurer relative to bookkeeping and accounting functions not necessarily connected with the cash and funds which he handles transferred to new Commission on Administration and Finance, see 1922, 545 §§ 1, 5.

SECT. 5. See 1922, 545 § 22.

SECT. 10. See 1922, 545 § 20.

Chapter 11. — Department of the State Auditor.

Rights, powers, duties and obligations of the State Auditor, except such as relate to the auditing of accounts of all offices of the commonwealth and to the keeping of reports of such audits, transferred to new Commission on Administration and Finance, see 1922, 545 §§ 1, 5, 27, 29.

SECT. 3. Office of second deputy abolished, see 1922, 545 § 27.

SECT. 4. Offices of supervisor of accounts and assistant supervisor of accounts abolished, see 1922, 545 § 27.

SECT. 6. See 1922, 545 §§ 22, 27.

SECTS. 7-11. See 1922, 545 §§ 1, 5.

SECT. 10. See 1922, 358.

SECT. 12. See 1922, 545 § 27.

SECTS. 13-15. See 1922, 545 § 20.

Chapter 12. — Department of the Attorney General, and the District Attorneys.

SECT. 12 amended, 1922, 459.

SECT. 14 amended, 1922, 304 § 1.

- SECT. 16 amended, 1922, 304 § 2.
- SECT. 17 amended, 1922, 304 § 3, 333 § 1.
- SECT. 18 amended, 1922, 334.
- SECT. 19 amended, 1921, 235.

Chapter 13. — Department of Civil Service and Registration.

- SECT. 9 amended, 1921, 426.
- SECT. 25 amended, 1922, 441.

Chapter 14. — Department of Corporations and Taxation.

- SECT. 2 amended, 1922, 520 § 1.
- SECT. 4 amended, 1921, 486 § 2; 1922, 330.
- SECT. 5 amended, 1922, 21.

Chapter 15. — Department of Education.

- SECT. 2 amended, 1921, 442.
- SECT. 6A added, 1921, 462 § 2 (state board for vocational education established).
- SECT. 11 amended, 1922, 121.
- SECT. 12 amended, 1921, 449 § 1.

Chapter 16. — Department of Public Works.

- SECT. 6 amended, 1922, 534 § 2.

Chapter 17. — Department of Public Health.

- SECT. 8. See 1921, Resolve 30 (authorizing the sale and conveyance of Penikese Island and the buildings thereon).
- SECT. 10 amended, 1922, 481.

Chapter 19. — Department of Mental Diseases.

- SECT. 2 amended, 1921, 443.
- SECT. 4A added, 1922, 519 § 1 (establishing a division of mental hygiene in the Department of Mental Diseases).
- SECT. 5 amended, 1922, 410 § 2.
- SECT. 6 amended, 1921, 449 § 2; 1922, 410 § 3.

Chapter 22. — Department of Public Safety.

- SECT. 8 revised, 1922, 9.
- SECT. 9A added, 1921, 461 (additional appointments in the division of state police, "state constabulary," so called); amended, 1922, 331 § 1.
- SECT. 13 added, 1921, 438 § 1 (provision for deputy director of moving picture censorship).

Chapter 23. — Department of Labor and Industries.

SECT. 1 amended, 1921, 306 § 1.

SECT. 3 amended, 1921, 306 § 2.

SECT. 4 amended, 1921, 306 § 3; 1922, 196.

SECT. 5 amended, 1921, 306 § 4.

Chapter 24. — Department of Industrial Accidents.

SECT. 2 amended, 1922, 537 § 1.

SECT. 8 repealed, 1921, 462 § 8.

SECT. 9 repealed, 1921, 462 § 8.

Chapter 25. — Department of Public Utilities.

SECT. 5A added, 1922, 259 § 1 (authorizing the Department of Public Utilities to summon witnesses and take testimony).

Chapter 26. — Department of Banking and Insurance.

SECT. 3 amended, 1922, 513.

Chapter 27. — Department of Correction.

SECT. 5 amended, 1921, 312.

Chapter 28. — Metropolitan District Commission.

SECT. 5 added, 1922, 406 (authorizing the appointment of a superintendent of police).

Chapter 29. — State Finance.

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SECT. 3. See 1922, 545 §§ 1, 5-8.

SECTS. 4, 6-9. See 1922, 545 §§ 1, 6-8.

SECT. 5. See 1922, 545 §§ 1, 5, 6.

SECT. 10. See 1922, 545 § 28.

SECTS. 18, 20, 23-25, 29, 48, 50, 61. See 1922, 545 §§ 1, 5.

SECT. 23 revised, 1921, 342.

SECT. 34 amended, 1922, 10.

Chapter 30. — General Provisions relative to State Departments, Commissions, Officers and Employees.

Establishment of new Commission on Administration and Finance and provision for a central purchasing agency, see 1922, 545.

SECT. 6 revised, 1921, 275.

SECT. 7A added, 1921, 449 § 3 (rendering women eligible to hold state office); amended, 1922, 371 § 1.

SECT. 15. See 1922, 545 §§ 1, 5.

SECT. 27 revised, 1921, 225.

SECT. 33 amended, 1922, 24 § 2. See 1922, 545 §§ 1, 6.

SECTS. 34-36, 38, 45-50. See 1922, 545 §§ 1, 4, 17.

SECT. 39 amended, 1922, 416.

SECT. 42. See 1922, 358, 545 §§ 1, 4, 12, 17.

Chapter 31. — Civil Service.

SECT. 17 amended, 1922, 36.

SECT. 23 revised, 1922, 463.

SECT. 31 revised, 1922, 31.

Chapter 32. — Retirement Systems and Pensions.

As to retirement allowances based on annuity and pension contributions for employees of the city of Boston or of the County of Suffolk, see 1922, 521.

SECT. 1 amended, 1922, 341 § 1.

SECT. 2, Par. (3) amended, 1921, 439 § 1; Par. (9) revised, 1921, 487 § 4; Par. (10) added, 1921, 487 § 5.

SECT. 3. Par. (4) amended, 1922, 341 § 2.

SECT. 4, (2) *B*. Par. (c) added, 1921, 487 § 6.

SECT. 5 (Par. included within lines 78-83) revised, 1922, 341 § 3; Par. (2) *E* amended, 1922, 341 § 4.

SECT. 10 extended, 1921, 460.

SECT. 16, Par. (1) amended, 1922, 521 § 33.

SECTS. 20-25 affected, 1921, 413.

SECT. 25, Par. (2) *C* (a) amended, 1921, 480.

SECT. 46 amended, 1921, 402.

SECT. 49 amended, 1921, 279.

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SECT. 56 amended, 1922, 261.

SECT. 61 amended, 1921, 486 § 3.

SECT. 63 amended, 1921, 486 § 4, 487 § 7.

SECT. 65 revised, 1921, 413.

SECT. 68 revised, 1921, 487 § 1.

SECT. 69 revised, 1921, 487 § 2.

SECT. 71 amended, 1921, 487 § 3.

SECT. 74 revised, 1921, 487 § 8; affected, 1922, 266.

SECT. 80 amended, 1921, 337 § 1.

SECT. 85A added, 1921, 337 § 2 (relative to retirement of members of fire departments).

Chapter 33. — Militia.

For a complete list of temporary war legislation prior to 1921, see Table of Changes for 1920 under chapter 16 of the Revised Laws, superseded by chapter 33 of the General Laws.

See also 1921, 38, authorizing counties to pay their employees who served in the world war the difference between their military and county compensation.

State pay and "bonus" for war service, 1917, 211, 332; 1918, 92; 1919, 283; 1920, 51, 250, 609; 1922, 457. 1921, 326 and 1922, 240, extending time for filing applications for payments to November 30, 1921, and further to November 30, 1923. 1921, 354, entitling student nurses of medical department of United States army during world war to receive the "bonus."

Commission to ascertain the most appropriate methods of caring for the graves of American dead in foreign soil, revived and continued, 1921, 448; 1922, 455.

Military supplies, etc., not required to be purchased through central purchasing agency, see 1922, 545 §§ 10-12.

SECT. 6 revised, 1922, 152.

SECT. 28 revised, 1921, 359 § 1.

SECT. 30 amended, 1921, 276.

SECT. 52, subsect. (a) amended, 1922, 344.

SECT. 86, subsect. (a) revised, 1921, 359 § 2.

SECT. 154, subsect. (a) revised, 1921, 359 § 3.

SECT. 157, paragraphs (b) and (c) repealed, 1922, 445 § 1.

SECT. 160 amended, 1922, 445 § 2.

Chapter 34. — Counties and County Commissioners.

Counties authorized to pay their employees who served in the world war the difference between their military and county compensation, 1921, 38.

SECT. 3A added, 1921, 449 § 4 (rendering women eligible to county offices); amended, 1922, 371 § 2.

SECTS. 9A-9E added, 1922, 123 (defining the records of county commissioners).

SECT. 11 amended, 1922, 423 § 3.

SECT. 17 revised, 1922, 383.

Chapter 35. — County Treasurers, State Supervision of County Accounts, and County Finances.

Counties authorized to pay their employees who served in the world war the difference between their military and county compensation, 1921, 38.

SECT. 6 revised, 1921, 300.

SECT. 28 amended, 1921, 336.

SECT. 30 amended, 1922, 127.

SECT. 37A added, 1922, 122 (relative to the borrowing of money by counties and to the use of proceeds and premiums).

SECT. 39 amended, 1921, 22.

SECTS. 44-47. See 1921, 486 § 2.

Chapter 36. — Registers of Deeds.

SECT. 31A added, 1921, 207 (registers of deeds to notify Commissioner of Corporations and Taxation of the registering of certain deeds and declarations of trust).

- SECT. 33. See 1921, 422.
SECT. 34 revised, 1921, 422.
SECT. 36 revised, 1922, 301.

Chapter 39. — Municipal Government.

- SECT. 13 amended, 1921, 486 § 5.
SECT. 19 repealed, 1922, 427 § 5.
SECT. 20 amended, 1922, 427 § 6.
SECT. 23 amended, 1922, 427 § 7.

Chapter 40. — Powers and Duties of Cities and Towns.

- SECT. 5, cl. (12) revised, 1921, 486 § 6; cl. (21) revised, 1921, 371 § 1; cl. (21A) added, 1921, 371 § 2 (authorizing towns to appropriate money for purchase, etc., of ambulances).
SECT. 9 amended, 1921, 80. (See 1921, 169, authorizing city of Boston to utilize schoolhouse property to provide quarters for organizations of war veterans.)
SECT. 9A added, 1921, 227 (authorizing cities and towns to provide quarters for camps of the United Spanish War Veterans).
SECT. 11 amended, 1921, 252.
SECT. 14 amended, 1921, 486 § 7.
SECT. 30 amended, 1922, 40.

Chapter 41. — Officers and Employees of Cities, Towns and Districts.

- SECT. 1. See 1921, 65, rendering women eligible to elective municipal office in Boston.
SECT. 5 amended, 1922, 427 § 8.
SECT. 15A added, 1922, 86 (relative to the certification of appropriation orders by city and town clerks).
SECT. 21 amended, 1921, 130.
SECT. 24A added, 1921, 208 (election or appointment of assistant assessors).
SECT. 25A added, 1921, 14 (authorizing assessors in towns to appoint assistant assessors in cities).
SECT. 54A added, 1922, 135 (requiring annual notification to the assessors by certain city and town officials of receipts of the preceding year).
SECT. 55 amended, 1921, 486 § 8.
SECT. 56 amended, 1922, 84.
SECT. 76 amended, 1922, 297.
SECT. 77 amended, 1921, 486 § 9.
SECT. 111 amended, 1921, 486 § 10.

Chapter 42. — Boundaries of Cities and Towns.

Boundary line between Carver and Middleborough established, 1921, 82.

Chapter 43. — City Charters.

SECT. 1 (last paragraph) amended, 1922, 237 § 1.

SECT. 8 amended, 1922, 237, § 2.

SECT. 15 revised, 1922, 237 § 3.

SECT. 17 amended, 1922, 237 § 4.

SECT. 31 amended, 1922, 237 § 5.

SECT. 36 revised, 1922, 237 § 6.

SECT. 40 amended, 1922, 237 § 7.

SECTS. 44A-44H added, 1922, 282 § 1 (providing for the nomination at preliminary elections of candidates for elective municipal office in cities governed under a standard form of city charter).

SECT. 45 amended, 1922, 282 § 2.

SECT. 50 amended, 1922, 237 § 8.

SECT. 59 revised, 1922, 237 § 9.

SECT. 68 revised, 1922, 237 § 10.

SECT. 82 revised, 1922, 237 § 11.

Chapter 44. — Municipal Finance.

Provision for an investigation of problems relating to municipal expenditures and taxation, see 1922, Resolve 39.

As to municipal indebtedness of the city of Boston, see 1909, 486 § 26; 1910, 437; 1911, 165; 1918, Sp. Acts 52.

Relative to the maintenance and operation of municipal light plants, 1922, 184.

SECT. 5A added, 1922, 28 (authorizing cities to borrow money to meet expenditures by city officials in anticipation of appropriations).

SECT. 6A added, 1921, 366 (authorizing towns to borrow money for highway purposes in anticipation of state or county reimbursement).

SECT. 8, cl. (5) amended, 1921, 486 § 11.

SECT. 19. As to Boston, see 1909, 486 § 26; 1910, 437; 1911, 165.

SECT. 22. As to rate of interest on securities issued by city of Boston, see 1918, Sp. Acts 52.

SECT. 24A added, 1921, 294 (relative to the form of notes issued by towns and districts).

SECT. 29. As to tax limit of city of Boston, see 1909, 490 I § 53; 1910, 521; 1913, 719 § 18; 1915, Sp. Acts 184 § 2, 304; 1916, Sp. Acts 267; 1918, Sp. Acts 120, 132 § 3; 1919, Sp. Acts 172, 206 § 10; 1920, 401, 524, 641 § 5; 1922, 205.

SECT. 33A added, 1922, 250 (providing that the financial budgets of cities shall include provision for the salaries of officials).

SECT. 34. See 1922, 28.

SECTS. 35, 36. The question of the installation by the commonwealth of a municipal accounting system required to be submitted to certain cities and towns, see 1922, 516.

SECT. 47. As to Boston, see 1909, 486 § 26; 1910, 437; 1911, 165.

SECT. 50 repealed, 1921, 486 § 12.

SECT. 55 amended, 1921, 486 § 13.

SECT. 62 added, 1922, 253 (providing penalties for violation of the laws relative to municipal finance).

Chapter 48. — Fires, Fire Departments and Fire Districts.

SECT. 8 amended, 1921, 274.

SECT. 13 amended, 1922, 515.

SECT. 20A added, 1922, 252 (relative to the operation of portable saw-mills).

Chapter 51. — Voters.

Board of election commissioners and registration of voters in Boston, 1913, 835 §§ 76-87; 1915, 48, 91 § 7; 1917, 29 § 12; 1919, 269 §§ 1, 6, 7; 1920, 142; 1921, 93, 114 § 5.

For listing of voters in Boston, see 1917, 29; 1920, 145; 1921, 114; in Chelsea, 1917, 106; 1921, 84; in Cambridge, 1918, 282; 1921, 84; in Watertown, 1919, 108; 1921, 84.

Election commission and registration of voters in Lowell, 1920, 154; 1921, 115.

SECT. 1 amended, 1922, 305.

SECT. 15 revised, 1921, 102 § 1.

SECT. 16 revised, 1921, 102 § 2.

SECT. 22 amended, 1921, 156.

SECT. 36 amended, 1921, 209 § 1.

SECT. 37 amended, 1921, 209 § 2.

SECT. 44 amended, 1922, 166.

SECT. 55 amended, 1921, 209 § 3.

SECT. 59 amended, 1922, 189.

SECT. 61 revised, 1921, 209 § 4.

Chapter 52. — Political Committees.

SECT. 1. See 1921, 388 (providing for additional women members of state committees of political parties).

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 7 amended, 1922, 214 § 1.

SECT. 10 amended, 1921, 387.

SECT. 11. See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2, as to time of filing objections to nomination papers of candidates for municipal office in Boston.

SECT. 13. See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2, as to time of withdrawal of nominations to municipal office in Boston.

SECT. 46 amended, 1922, 214 § 2.

SECT. 59. See 1921, 65, enabling women to sign nomination papers for candidates for municipal office in Boston.

SECT. 61 amended, 1922, 214 § 3. See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2, as to certificates, etc., of nomination papers of candidates for municipal office in Boston.

Chapter 54. — Elections.

SECT. 2 amended, 1921, 220 § 1. (See 1913, 835 § 217; 1918, 74; 1920, 636, as to division of city of Boston into voting precincts.)

SECT. 58. See 1909, 486 § 54; 1914, 730 § 5; 1921, 340, as to time for issuance of nomination papers for elective offices in Boston.

SECT. 63. See 1909, 486 § 32; 1914, 730 § 1; 1921, 288 § 1, as to date of municipal election in Boston.

SECT. 64 amended, 1922, 427 § 9.

SECT. 104 amended, 1922, 427 § 10.

SECT. 105 amended, 1921, 209 § 5.

SECT. 132 amended, 1921, 209 § 6.

SECT. 133 amended, 1921, 209 § 7.

SECT. 139 revised, 1922, 57.

SECT. 141 amended, 1922, 142.

SECT. 154. See 1922, 459.

Chapter 55. — Corrupt Practices and Election Inquests.

SECT. 34A added, 1922, 269 § 1 (making of false statements in relation to candidates for nomination or election to public office prohibited).

SECT. 36 amended, 1922, 269 § 2.

Chapter 56. — Violations of Election Laws.

SECT. 2 amended, 1921, 114 § 6.

SECT. 5 amended, 1921, 114 § 7.

SECT. 6 amended, 1921, 114 § 8.

SECT. 7 amended, 1921, 486 § 14.

SECT. 64A added, 1922, 269 § 3 (penalty for making false statements in relation to candidates for nomination or election to public office).

Chapter 58. — General Provisions relative to Taxation.

Special state tax to provide the means of paying the "bonus" for war service omitted for the current year, see 1922, 531.

SECT. 8 amended, 1922, 34.

SECT. 9 amended, 1921, 379 § 1.

SECT. 10 amended, 1921, 379 § 2.

SECT. 10A added, 1921, 375 § 2 (allowance as offset to amounts due state from cities and towns of percentage of corporation taxes to be distributed).

SECT. 13 amended, 1921, 486 § 15. (See 1922, 54 § 1.)

SECTS. 13-17 extended, 1921, 344 § 4.

SECT. 15 amended, 1921, 282.

SECT. 17 amended, 1922, 54 § 1.

SECT. 18 amended, 1922, 54 § 2. (See 1922, 194.)

SECT. 20 revised, 1922, 362 § 1.

SECTS. 20-24A. See 1921, 375 § 2; 1922, 362 § 2.

SECT. 24A added, 1921, 375 § 1 (distribution to cities and towns of interest on corporation taxes).

SECT. 25 amended, 1921, 375 § 3; revised, 1922, 362 § 2.

SECT. 27 revised, 1922, 382.

Chapter 59. — Assessment of Local Taxes.

Provision for an investigation of problems relating to municipal expenditures and taxation, see 1922, Resolve 39.

As to local tax limit generally, see Chap. 44 § 29.

As to Boston, see 1909, 490 I § 53; 1910, 521; 1913, 719 § 18; 1915, Sp. Acts 184 § 2, 304; 1916, Sp. Acts 267; 1918, Sp. Acts 120, 132 § 3; 1919, Sp. Acts 172, 206 § 10; 1920, 401, 524, 641 § 5.

As to taxation of lands and buildings of the city of Boston leased for business purposes, see 1922, 390.

SECT. 1. For the poll tax payable prior to 1924, including the additional "war poll tax," so called, see 1919, 283 §§ 10-15. (See 1921, 226, repealing certain provisions relative to poll taxes. See 1922, 260, relative to abatements of poll taxes for certain veterans. See 1922, 398, exempting certain veterans of the world war from the payment of additional poll taxes.)

SECT. 5, cl. Second amended, 1921, 389; 1922, 216; cl. Third, subsect. (c) amended, 1922, 451 § 1; cl. Fifth amended, 1921, 474; 1922, 222; cl. Sixteenth amended, 1921, 486 § 16; cl. Thirty-third amended, 1921, 202.

SECT. 8. See 1922, 329.

SECT. 23 amended, 1921, 348.

SECTS. 23A and 23B added, 1922, 118 (requiring assessors to notify the financial officers of cities and towns of amounts to be raised by taxation and from receipts, and of amounts of abatements granted).

Chapter 60. — Collection of Local Taxes.

SECT. 2 amended, 1921, 124.

Chapter 61. — Taxation of Forest Lands.

Chapter repealed and superseded by 1922, 360 § 1 (Chapter 61. Taxation of Forest Products and Classification and Taxation of Forest Lands).

Chapter 62. — Taxation of Incomes.

SECT. 2 amended, 1921, 265.

SECT. 5, cl. (c) amended, 1921, 376 § 1; 1922, 449 § 1.

SECT. 6, cl. (b) amended, 1922, 329 § 1; cl. (g) amended, 1922, 329 § 2; cl. (h) amended, 1922, 489.

SECT. 32. See 1922, 545 § 27.

SECT. 33 amended, 1922, 290.

- SECT. 37 amended, 1922, 143.
- SECT. 45 amended, 1922, 339 § 1.
- SECT. 47 amended, 1921, 113 § 1.
- SECT. 48 amended, 1921, 113 § 2.

Chapter 63. — Taxation of Corporations.

- SECT. 11 amended, 1922, 520 § 2. (See 1922, 239.)
- SECT. 12. See 1922, 239.
- SECT. 14 amended, 1922, 239.
- SECT. 17 amended, 1922, 520 § 3.
- SECT. 18 amended, 1922, 520 § 4.
- SECT. 28 amended, 1922, 520 § 5.
- SECT. 29 amended, 1922, 520 § 6.
- SECT. 30, Par. 5 amended, 1922, 302.
- SECTS. 30-51. See 1922, 362 § 1.
- SECT. 32. See 1921, 361.
- SECT. 33 revised, 1922, 492 § 1. (See 1922, 492 § 2.)
- SECT. 39. See 1921, 361.
- SECT. 39A added, 1922, 492 § 2 (imposing a minimum tax upon foreign business corporations doing business in this commonwealth).
- SECT. 45 amended, 1922, 520 § 7.
- SECT. 48 amended, 1922, 520 § 8.
- SECT. 53, cl. Fourth (part) amended, 1922, 49.
- SECT. 56. See 1922, 239.
- SECT. 58 revised, 1921, 394.
- SECT. 60 amended, 1922, 520 § 9.
- SECT. 61. See 1921, 406 § 1.
- SECTS. 62, 65. See 1921, 406, relieving street railway, etc., companies for years 1922 and 1923 from commutation or excise tax.
- SECT. 70 amended, 1922, 520 § 10. (See 1921, 375 § 1.)
- SECT. 71 amended, 1921, 123; 1922, 339 § 2.
- SECT. 72 amended, 1922, 520 § 11.
- SECTS. 72-75. See 1921, 493 § 7.
- SECT. 73 amended, 1922, 520 § 12.
- SECT. 75 amended, 1922, 520 § 13.
- SECT. 77 amended, 1922, 520 § 14.

Chapter 65. — Taxation of Legacies and Successions.

As to the collection of collateral legacy taxes under chapter 15 of the Revised Laws and amendments thereof, see 1922, 520 § 24.

- SECT. 1 amended, 1922, 347, 403 § 1.
- SECT. 4 amended, 1922, 403 § 2.
- SECT. 5 amended, 1922, 403 § 3.
- SECT. 7 amended, 1922, 520 § 15.
- SECT. 8 amended, 1922, 520 § 16.
- SECT. 10 repealed, 1922, 403 § 4.
- SECT. 15 revised, 1922, 300.

- SECT. 23 amended, 1922, 520 § 17.
- SECT. 27 amended, 1922, 520 § 18.
- SECT. 30 amended, 1922, 520 § 19.
- SECT. 31 amended, 1922, 520 § 20.
- SECT. 32 amended, 1922, 339 § 3; revised, 1922, 520 § 21.
- SECT. 33 amended, 1922, 520 § 22.
- SECT. 34 amended, 1922, 520 § 23.

Chapter 66. — Public Records.

See 1920, 562; 1921, 171; 1922, 199, relative to the preservation and distribution of town records of births, marriages and deaths previous to 1850.

Chapter 67. — Parishes and Religious Societies.

Certificates of organization of parishes and religious societies filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 69. — Powers and Duties of the Department of Education.

Provision for an investigation relative to opportunities and methods for higher education in the commonwealth, 1922, Resolve 33.

SECT. 10 amended, 1921, 484.

SECT. 25 revised, 1921, 486 § 17. (See 1922, 545 §§ 10-12.)

Chapter 70. — School Funds and Other State Aid for Public Schools.

SECT. 2 revised, 1921, 420 § 1.

SECT. 4 revised, 1921, 420 § 2.

SECT. 6 amended, 1922, 190.

SECT. 7 amended, 1922, 333 § 2.

SECT. 11 revised, 1921, 420 § 3.

SECT. 16 amended, 1922, 333 § 3.

Chapter 71. — Public Schools.

SECT. 1 amended, 1921, 360.

SECT. 6 revised, 1921, 296 § 1.

SECT. 7 amended, 1921, 296 § 2.

SECT. 21 amended, 1922, 401.

SECT. 24 amended, 1922, 413.

SECT. 40 revised, 1921, 420 § 4.

SECT. 42 amended, 1921, 293.

SECT. 46 amended, 1922, 231.

SECT. 53 revised, 1921, 357 § 1.

SECTS. 53A and 53B added, 1921, 357 § 2 (enabling superintendency districts and unions to employ school physicians and nurses, etc.).

SECT. 55 revised, 1922, 120.

SECT. 70 amended, 1921, 486 § 18.

Chapter 73. — State Normal Schools.

SECT. 4 amended, 1921, 486 § 19.

SECT. 7 added, 1921, 92 (authorizing Department of Education to grant degrees in education); amended, 1922, 274.

Chapter 74. — Vocational Education.

Provision for an investigation as to furnishing aid for certain physically handicapped persons other than the blind, see 1922, Resolve 52.

SECTS. 1-24. See 1922, 521 § 2.

SECT. 20 revised, 1921, 462 § 3.

SECT. 21 amended, 1921, 462 § 4.

SECT. 22 amended, 1921, 462 § 5.

SECT. 22A added, 1921, 462 § 6 (duties of state board for vocational education).

SECT. 46A added, 1921, 385 (authorizing state textile schools to make certain tests).

Chapter 75. — Massachusetts Agricultural College.

SECT. 10A added, 1922, 268 (authorizing the trustees of the Massachusetts Agricultural College to insure its memorial building and contents).

SECT. 17. See 1922, 182.

SECT. 21 amended, 1922, 182.

Chapter 76. — School Attendance.

SECT. 1 amended, 1921, 463. (See 1922, 376.)

SECT. 7 amended, 1921, 272.

SECT. 10 amended, 1921, 214.

Chapter 77. — School Offenders and County Training Schools.

SECT. 1 amended, 1921, 173.

Chapter 81. — State Highways.

SECT. 3 amended, 1921, 260.

SECT. 5 amended, 1921, 427 § 1.

SECT. 6 amended, 1921, 446.

SECT. 9 amended, 1921, 112 § 2.

SECT. 12 revised, 1921, 427 § 2. (See 1921, 427 § 1.)

SECT. 25 revised, 1921, 428.

SECT. 26 amended, 1922, 281.

SECT. 26A added, 1921, 120 § 1 (providing for the participation of the county in the improvement of public ways).

Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs thereon.

SECT. 5 amended, 1922, 251 § 1.

SECT. 8 amended, 1921, 401.

SECT. 11 amended, 1922, 251 § 2.

Chapter 83. — Sewers, Drains and Sidewalks.

SECT. 27 amended, 1921, 486 § 20.

Chapter 84. — Repair of Ways and Bridges.

SECT. 11A added, 1921, 120 § 2 (providing for the participation of the county in the improvement of public ways).

SECT. 21 revised, 1922, 241.

Chapter 85. — Regulations and By-laws relative to Ways and Bridges.

SECT. 13 revised, 1921, 377.

SECT. 30 revised, 1922, 526.

Chapter 90. — Motor Vehicles and Aircraft.

Provision for an aircraft landing field, see 1922, 404.

Provision for an investigation by the registrar of motor vehicles as to the licensing of persons engaged in the business of repairing motor vehicles, 1922, Resolve 20.

Provision for an investigation relative to the establishment of branch agencies for the registration of motor vehicles, see 1922, Resolve 41.

SECT. 2 amended, 1922, 303 § 1.

SECT. 5 amended, 1922, 303 § 2.

SECT. 6 amended, 1922, 342 § 1.

SECT. 7 revised, 1921, 189, 434, 483; amended, 1922, 342 § 2.

SECT. 8 amended, 1921, 403 § 1.

SECT. 9 amended, 1922, 303 § 3.

SECT. 20 amended, 1922, 130.

SECT. 21 revised, 1921, 349.

SECT. 23 amended, 1921, 304.

SECTS. 23-25. See 1922, 36.

SECT. 28 amended, 1922, 202.

SECT. 31. See 1922, 36.

SECT. 33 amended, 1921, 403 § 2.

SECT. 34 revised, 1921, 112 § 1.

SECTS. 35-43 superseded, 1922, 534 § 1.

Chapter 91. — Waterways.

SECT. 12 revised, 1922, 262 § 1.

Chapter 92. — Metropolitan Sewers, Water and Parks.

SECT. 48 amended, 1922, 14.

SECT. 56 amended, 1921, 112 § 3.

Chapter 93. — Regulation of Trade and Certain Enterprises.

Provision for an investigation as to the distribution and sale of gasoline, etc., see 1922, Resolve 50.

Special Commission on the Necessaries of Life, 1921, 325; 1922, 343.

SECT. 10 amended, 1921, 486 § 21.

SECT. 37 revised, 1922, 395 § 1.

SECT. 39 revised, 1922, 395 § 2.

SECT. 41 repealed, 1921, 486 § 22.

Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

Provision for an inquiry by the Commission on the Necessaries of Life into conditions affecting the distribution of meat products, 1922, Resolve 34.

Special Commission on the Necessaries of Life, 1921, 325; 1922, 343.

SECT. 7 revised, 1922, 186 § 1.

SECT. 8 amended, 1921, 94; 1922, 186 § 2.

SECT. 9 amended, 1922, 186 § 3.

SECT. 10 amended, 1922, 186 § 4.

SECTS. 10A-10E added, 1921, 303 (regulating the manufacture and bottling of certain non-alcoholic beverages).

SECT. 74 revised, 1922, 17 § 1.

SECT. 76 revised, 1922, 17 § 2.

SECT. 81 revised, 1922, 338 § 1.

SECT. 82 revised, 1922, 338 § 2.

SECT. 92A added, 1921, 486 § 23. (Sale of decayed eggs.)

SECT. 96 revised, 1922, 355 § 1.

SECT. 97 repealed, 1922, 355 § 8.

SECT. 99 amended, 1922, 355 § 2.

SECT. 99A added, 1921, 248 (establishing a standard for boxes and half boxes for farm produce at wholesale).

SECT. 108 repealed, 1922, 355 § 8.

SECTS. 117A-117F added, 1922, 438 § 1 (providing for the grading and inspection of onions).

SECT. 150A added, 1921, 486 § 24.

SECT. 163 revised, 1922, 524.

SECT. 164 revised, 1922, 206.

SECT. 173 repealed, 1922, 355 § 8.

SECT. 184A added, 1921, 486 § 25 (marking of packages, etc., of foods or medicines containing certain drugs).

SECT. 185 repealed, 1921, 486 § 26.

SECT. 209 revised, 1922, 535 § 1.

SECT. 210 amended, 1922, 535 § 2.

SECT. 212 revised, 1922, 535 § 3.

SECT. 218 repealed, 1922, 355 § 8.

SECT. 219 amended, 1922, 355 § 3.

SECT. 220 repealed, 1922, 355 § 8.

SECT. 221 amended, 1922, 355 § 4.

SECT. 222 revised, 1922, 355 § 5.

SECT. 223 repealed, 1922, 355 § 8.

SECT. 224 revised, 1922, 355 § 6.

SECT. 227 revised, 1922, 400 § 1.

SECT. 228 amended, 1922, 400 § 2.

SECT. 229 revised, 1922, 400 § 3.

SECT. 237 amended, 1922, 355 § 7.

SECTS. 238-249. See 1921, 325 (chairman of Special Commission on the Necessaries of Life to be fuel administrator). As to the appointment, duties, authority and powers of a fuel administrator, see 1922, 544.

SECT. 240 amended, 1921, 95 § 2.

SECT. 241 amended, 1921, 95 § 1.

SECT. 243 amended, 1921, 89 § 1.

SECT. 248 amended, 1921, 89 § 2.

SECTS. 295A-295E added, 1922, 427 § 2 (relative to wood alcohol), heretofore appearing as sections 34 to 38 of chapter 138.

SECT. 298 revised, 1921, 251 § 1.

SECT. 299 revised, 1921, 251 § 2.

SECT. 304 amended, 1921, 486 § 27.

Chapter 98. — Weights and Measures.

SECT. 12 revised, 1921, 263 § 1.

SECT. 13 revised, 1921, 263 § 2.

SECT. 14 revised, 1921, 263 § 3.

SECT. 18 revised, 1921, 45 § 1.

SECT. 19 revised, 1921, 45 § 2.

SECT. 22 revised, 1921, 374.

SECT. 58 repealed, 1922, 355 § 8.

Chapter 100. — Auctioneers.

SECT. 5 amended, 1921, 127.

Chapter 101. — Transient Vendors, Hawkers and Pedlars.

SECT. 1 amended, 1921, 106 § 1.

SECT. 2 amended, 1921, 106 § 2.

Chapter 108A. — Partnerships.

New chapter added by 1922, 486.

Chapter 109. — Limited Partnerships.

Certificates and affidavits of limited partnerships filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 110. — Labels, Trade Marks, Names and Registration thereof.

SECTS. 8, 9. (Certificates of registration of labels, insignia, etc., filed in the office of the State Secretary deemed recorded, see 1922, 151.)

Chapter 110A. — Promotion and Sale of Securities.

New chapter added by 1921, 499 ("Blue Sky Law," so called).

SECT. 6 amended, 1922, 435 § 1.

SECT. 7 amended, 1922, 435 § 2.

SECT. 8 amended, 1922, 317 § 1; revised, 1922, 435 § 3.

SECT. 10, Par. (b) amended, 1922, 317 § 2.

SECT. 13 repealed, 1922, 259 § 2.

Chapter 111. — Public Health.

Provision for an investigation relative to additional hospital facilities for the treatment of surgical or non-pulmonary tuberculosis, 1922, Resolve 26.

SECT. 5 amended, 1921, 322.

SECT. 11 repealed, 1922, 427 § 11.

SECT. 25 amended, 1922, 200.

SECT. 31A added, 1921, 358 (providing for registration of collectors of garbage, etc.).

SECT. 39 amended, 1921, 315 § 1.

SECT. 48 affected, 1921, 315 § 1.

SECTS. 63, 68. See 1921, Resolve 30 (authorizing sale and conveyance of Penikese Island and the buildings thereon).

SECT. 82 revised, 1922, 393 § 1.

SECTS. 83-85. See 1921, 185 (apportionment of expense incurred by county of Middlesex for a tuberculosis hospital).

SECT. 86 amended, 1922, 393 § 2.

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2 amended, 1922, 340 § 1.

SECT. 3 amended, 1921, 313, 409; revised, 1922, 340 § 2.

SECT. 9A added, 1922, 426 (providing for the registration of medical students for the limited practice of medicine).

SECT. 27 amended, 1922, 427 § 12.

SECT. 32 amended, 1922, 427 § 13.

SECT. 34 amended, 1922, 427 § 14.

SECT. 35 amended, 1922, 427 § 15.

SECT. 36 amended, 1922, 427 § 16.

SECT. 38 amended, 1921, 318.

SECT. 40 amended, 1922, 427 § 17.

SECT. 45A added, 1921, 365 (providing for registration of dental internes).

SECT. 48 revised, 1922, 221.

SECT. 61 revised, 1921, 478 § 1.

SECT. 65 revised, 1921, 478 § 2.

SECT. 82 amended, 1921, 419.

Chapter 114. — Cemeteries and Burials.

Certificates, articles of organization and amendment and affidavits relating to cemetery and crematory corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 45 revised, 1922, 176 § 1.

SECT. 47 revised, 1921, 333.

SECT. 50 amended, 1922, 176 § 2.

Chapter 115. — State and Military Aid, Soldiers' Relief, etc.

For a complete list of temporary war legislation prior to 1921, see Tables of Changes for 1920 under chapter 16 of the Revised Laws, superseded by chapter 33 of the General Laws.

See also 1921, 38, authorizing counties to pay their employees who served in the world war the difference between their military and county compensation.

State pay and "bonus" for war service, 1917, 211, 332; 1918, 92; 1919, 283; 1920, 51, 250, 609; 1922, 457. 1921, 326 and 1922, 240, extending time for filing applications for payments to November 30, 1921, and further to November 30, 1923. 1921, 354, entitling student nurses of medical department of United States army during world war to receive the "bonus."

SECT. 6 amended, 1921, 222 §§ 1, 2.

SECT. 7 amended, 1921, 222 § 3; 1922, 229.

SECT. 10 amended, 1921, 222 § 4.

Chapter 116. — Settlement of Paupers.

SECT. 1, cl. Fifth amended, 1922, 177.

SECT. 5 revised, 1922, 479.

Chapter 118. — Aid to Mothers with Dependent Children.

SECT. 1 amended, 1922, 376.

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

Provision for an investigation as to furnishing aid for certain physically handicapped persons other than the blind, see 1922, Resolve 52.

SECT. 9 amended, 1921, 486 § 28.

SECT. 29 revised, 1922, 306.

Chapter 122. — State Infirmary and State Paupers.

SECT. 24 amended, 1921, 430 § 2.

SECT. 25 amended, 1921, 430 § 3.

Chapter 123. — Commitment and Care of the Insane and Other Mental Defectives.

SECT. 3A added, 1922, 519 § 2 (relative to the powers and duties of the Department of Mental Diseases concerning the mental health of citizens).

SECT. 13A added, 1922, 519 § 3 (relative to the powers and duties of the Division of Mental Hygiene in the Department of Mental Diseases).

SECT. 16 amended, 1921, 317 § 1.

SECT. 17. See 1922, 545 §§ 1, 5.

SECT. 20 amended, 1921, 317 § 2; 1922, 410 § 4.

SECT. 25 amended, 1922, 410 § 5.

SECT. 32 amended, 1922, 193.

SECT. 45 amended, 1922, 410 § 6.

SECT. 46 amended, 1922, 410 § 7.

SECT. 51 amended, 1922, 410 § 8.

SECT. 62 amended, 1922, 535 § 4.

SECT. 66 amended, 1922, 410 § 9.

SECT. 66A added, 1921, 441 § 1 (commitment of feeble-minded persons to supervision of Department of Mental Diseases, etc.).

SECT. 67 amended, 1922, 410 § 10.

SECT. 80 revised, 1922, 535 § 5.

SECT. 88A added, 1922, 337 (providing for the parole of inmates of state schools for the feeble-minded).

SECT. 89 amended, 1922, 535 § 6.

SECTS. 89A and 89B added, 1921, 441 § 2 (discharge of certain feeble-minded persons committed under § 66A).

SECT. 91 amended, 1922, 410 § 11.

SECT. 93 amended, 1922, 410 § 12.

SECT. 96 amended, 1921, 317 § 3.

SECT. 100A added, 1921, 415 (investigation by Department of Mental Diseases of certain persons held for trial).

SECT. 113 revised, 1921, 270 § 1; 1922, 535 § 7.

SECT. 114 revised, 1922, 535 § 8.

SECT. 115 revised, 1922, 535 § 9.

SECT. 117 amended, 1921, 270 § 2; revised, 1922, 535 § 10.

SECT. 118 amended, 1922, 535 § 11.

SECT. 119 amended, 1922, 535 § 12.

SECT. 124 amended, 1922, 535 § 13.

Chapter 125. — Penal and Reformatory Institutions of the Commonwealth.

As to the commitment of drug addicts and dipsomaniacs to institutions under the Department of Correction, see 1922, 535 §§ 4-13.

SECT. 42 repealed, 1921, 486 § 29.

SECTS. 51-53. See 1922, 545 §§ 10-16.

Chapter 127. — Officers and Inmates of Penal and Reformatory Institutions, Paroles and Pardons.

As to the commitment of drug addicts and dipsomaniacs to institutions under the Department of Correction, see 1922, 535 §§ 4-13.

SECTS. 51-78. See 1922, 545 §§ 10-12.

Chapter 128. — Agriculture.

Provision for co-operation between the United States Department of Agriculture and the commonwealth in the collection and publication of agricultural statistics, 1921, 253.

Provision for an investigation relative to grading and marketing methods prevailing among tobacco growers in this commonwealth, 1922, Resolve 32.

Provision for an investigation as to the expediency of licensing contractors and dealers in milk and cream, and related matters, 1922, Resolve 36.

SECT. 2, cl. (f) revised, 1921, 206.

SECT. 8 revised, 1922, 438 § 2.

SECT. 39. See 1921, Resolve 5 (providing for preparation and publication of a report on the birds of Massachusetts).

Chapter 129. — Animal Industry.

SECT. 11 amended, 1922, 353 § 1.

SECT. 12 revised, 1922, 353 § 2 (repealed by 1922, 353 § 4 from and after August 1, 1923).

SECT. 33 revised, 1922, 353 § 3.

SECT. 33A added, 1922, 137 (providing for certain requirements in case of the transfer of possession of bovine animals which have reacted to a tuberculin test).

Chapter 130. — Powers and Duties of the Division of Fisheries and Game. Fisheries.

Possession of protected fish permitted under certain conditions if lawfully caught in this commonwealth or elsewhere, 1922, 187 § 1.

SECT. 1 amended, 1922, 187 § 1.

SECT. 22 revised, 1922, 124.

SECT. 23 revised, 1921, 467 § 9.

SECTS. 58-60. See 1921, 224 (imposing temporary restrictions on taking of pickerel).

SECT. 61 amended, 1922, 148.

SECT. 64 amended, 1921, 197; revised, 1922, 444.

SECT. 77A added, 1922, 108 (relative to fishing with floats in fresh water ponds).

SECT. 78A added, 1921, 188 (imposing restrictions on the taking of fresh water fish).

SECT. 84A added, 1922, 80 (issuing of permits for the taking of shellfish by unnaturalized foreign-born persons).

SECT. 104 revised, 1921, 116 § 1; amended, 1922, 161.

SECT. 145 revised, 1921, 24.

Chapter 131. — Preservation of Certain Birds and Animals. Hunting and Fishing Licenses.

Provision for preparation and publication of a report on the birds of Massachusetts. 1921, Resolve 5.

Taking of quail in the counties of Dukes, Essex, Hampden, Middlesex and Nantucket prohibited until the year 1925, 1922, 89.

Possession of protected birds and quadrupeds permitted under certain conditions if lawfully taken or killed in this commonwealth or elsewhere, 1922, 187 § 2.

SECT. 1 amended, 1922, 187 § 2.

SECT. 3 revised, 1921, 467 § 1.

SECT. 4 revised, 1921, 467 § 2.

SECT. 6 revised, 1921, 467 § 3.

SECT. 7 revised, 1921, 467 § 4.

SECT. 8 revised, 1921, 467 § 5.

SECT. 9 amended, 1921, 467 § 6.

SECT. 13 revised, 1921, 467 § 7.

SECT. 14 revised, 1921, 467 § 8.

SECT. 19 amended, 1921, 75.

SECT. 29 revised, 1921, 107 § 1.

SECT. 30 revised, 1921, 107 § 2.

SECT. 37 amended, 1922, 171 § 1.

SECT. 46 amended, 1921, 152; 1922, 117 § 2; revised, 1922, 160.

SECT. 46A added, 1922, 117 § 1 (relative to the importation of live hares and rabbits for purposes of propagation or liberation).

SECT. 51 revised, 1921, 121.

SECT. 61 revised, 1922, 183.

SECT. 66 revised, 1922, 128.

SECT. 67 revised, 1921, 257.

SECT. 72 amended, 1921, 55.

SECT. 81 amended, 1922, 171 § 2.

SECT. 82A added, 1921, 90 (relative to the release of wild birds or animals).

SECT. 85 amended, 1921, 159.

Chapter 132. — Forestry.

Mohawk Trail State Forest established 1921, 344.

SECT. 10 amended, 1921, 271 § 1.

SECT. 30 amended, 1922, 185.

SECT. 33 amended, 1921, 238.

Chapter 136. — Observance of the Lord's Day.

SECT. 6 amended, 1922, 427 § 18.

SECT. 7 amended, 1922, 427 § 19.

SECT. 10 amended, 1922, 119.

Chapter 138. — Intoxicating Liquors and Certain Non-Intoxicating Beverages.

SECTS. 4-9. See 1921, 356, 450.

SECT. 8 affected, 1921, 356, 450.

SECT. 15 amended, 1922, 285.

SECT. 54 revised, 1921, 495; amended, 1922, 22.

Chapter 138 and amendments repealed by 1922, 427 § 1 and superseded by 1922, 427 § 1 (Chapter 138. Prohibition of Intoxicating Liquors) and by 1922, 427 § 2, inserting in chapter 94 new sections 295A-295E.

Chapter 139. — Common Nuisances.

SECT. 14 amended, 1922, 427 § 20.

SECT. 16 amended, 1922, 427 § 21.

SECT. 17 repealed, 1922, 427 § 22.

SECT. 18 amended, 1922, 427 § 23.

SECT. 19 amended, 1922, 427 § 24.

SECT. 20 amended, 1922, 427 § 25.

Chapter 140. — Licenses.

SECTS. 21A-21D added, 1922, 392 (authorizing cities and towns to provide for licensing the sale of certain beverages).

SECT. 23 revised, 1921, 59.

SECT. 121 amended, 1922, 485 § 1.

SECT. 122 revised, 1922, 485 § 2.

SECT. 122A added, 1922, 485 § 3 (relative to the recording of licenses to sell, rent or lease firearms).

SECT. 123 revised, 1922, 485 § 4.

SECT. 125 amended, 1922, 485 § 5.

SECT. 127 amended, 1922, 485 § 6.

SECT. 129A added, 1922, 485 § 7 (unnaturalized foreign-born persons restricted as to firearms).

SECT. 130 amended, 1922, 485 § 8.

SECT. 131 revised, 1922, 485 § 9. (See 1922, 485 § 11, as to the expiration on January 1, 1923, of licenses for the carrying of certain firearms.)

SECT. 133 revised, 1922, 427 § 26.

Chapter 141. — Supervision of Electricians.

SECT. 3, cl. (3) revised, 1921, 221 § 1; cl. (5) amended, 1921, 221 § 2.

Chapter 142. — Supervision of Plumbing.

Provision for a continuance of the investigation as to standardizing municipal regulations relative to plumbing and drainage, 1921, Resolve 40; 1922, Resolve 19.

Chapter 143. — Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs.

Boston building laws, 1907, 550; 1908, 336; 1909, 313; 1910, 284, 631; 1911, 342; 1912, 369, 370; 1913, 50, 577, 586, 704, 729; 1914, 119, 205, 248, 595, 628, 782, 786; 1915, Sp. Acts 254, 333, 346, 352; 1916, Sp. Acts 248, 277; 1917, Sp. Acts 221; 1918, Sp. Acts 104, 115, 179; 1919, Sp. Acts 155, 156, 163; 1920, 91, 266, 440, 455; 1921, 60, 289, 476; 1922, 61, 126, 174, 316.

Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.

SECT. 2 revised 1921, 164.

SECTS. 52-59 added, 1921, 438 § 2 (moving picture censorship).

Chapter 148. — Fire Prevention.

SECT. 2 revised, 1921, 485 § 1.

SECT. 10 revised, 1921, 273, 485 § 2.

SECT. 12 revised, 1921, 255.

SECT. 14 amended, 1921, 485 § 3.

SECTS. 15-18 affected, 1921, 485 § 1.

SECT. 19 revised, 1921, 485 § 4.

SECT. 21 affected, 1921, 485 § 1.

SECT. 23 affected, 1921, 485 § 1.

SECT. 31 amended, 1921, 485 § 5.

SECT. 54 amended, 1921, 104.

SECTS. 57A-57G added, 1921, 500 (providing for the giving of bonds in connection with the manufacture, wholesale storage or public exhibition of fireworks).

SECT. 62 revised, 1921, 485 § 6.

SECT. 66 amended, 1921, 485 § 7.

Chapter 149. — Labor and Industries.

Provision for an investigation of problems relating to prevention of unemployment, to unemployment compensation, and to minimum wage, see 1922, Resolve 43.

SECT. 7 amended, 1921, 306 § 5.

SECT. 8 amended, 1921, 306 § 6.

SECT. 15 amended, 1921, 306 § 7.

SECT. 17 amended, 1921, 306 § 8.

SECT. 56 amended, 1921, 280.

SECT. 60 amended, 1921, 410 § 2.

SECT. 65 revised, 1921, 351 § 1; 410 § 3.

SECT. 69 amended, 1921, 410 § 1.

SECT. 70 revised, 1921, 410 § 4.

SECT. 86 amended, 1921, 351 § 2. (See 1922, 401.)

SECT. 89. See 1922, 401.

SECT. 94 amended, 1921, 351 § 3.

SECT. 95 amended, 1921, 341.

SECT. 120 revised, 1921, 50.

SECT. 141 amended, 1921, 53.

SECT. 148 amended, 1921, 51.

SECT. 177A added, 1922, 215 (prohibiting employers from exempting themselves from liability for certain injuries to employees).

SECT. 179A added, 1922, 517 (providing a preference to citizens in awarding contracts for public work).

Chapter 151. — The Minimum Wage.

Provision for an investigation of problems relating to prevention of unemployment, to unemployment compensation, and to minimum wage, see 1922, Resolve 43.

Chapter 152. — Workmen's Compensation.

SECT. 3 repealed, 1921, 462 § 8.

SECT. 4 amended, 1921, 462 § 7.

SECT. 31 revised, 1922, 402.

SECT. 33 amended, 1922, 368.

SECT. 45 revised, 1921, 310.

Chapter 155. — General Provisions relative to Corporations.

SECT. 5A added, 1921, 268 § 1 (relative to provision for depreciation by companies under the supervision of the Department of Public Utilities).

SECT. 10. (Articles of amendment and certificates of change of name of certain corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.)

Chapter 156. — Business Corporations.

Certificates, articles of organization and amendment and affidavits relating to business corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 157. — Co-operative Corporations.

Certificates, articles of organization and amendment and affidavits relating to co-operative associations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 4 revised, 1921, 297.

Chapter 158. — Certain Miscellaneous Corporations.

Certificates, articles of organization and amendment and affidavits relating to certain public service corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECTS. 46-54. See 1922, 488 § 2.

Chapter 159. — Common Carriers.

SECT. 42 repealed, 1922, 259 § 2.

SECT. 86. (Certificates of organization of certain relief corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.)

Chapter 160. — Railroads.

Certificates relative to railroad corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 128 amended, 1922, 116.

Chapter 161. — Street Railways.

Boston Elevated Railway Company, public operation of, 1918, Sp. Acts 159; 1919, Sp. Acts 244, 245, 250, 251; 1920, 613, 637; 1921, 108.

Eastern Massachusetts Street Railway Company, formerly Bay State Street Railway Company, public operation of, 1918, Sp. Acts 188; 1919, Sp. Acts 247; 1920, 505; 1921, 223.

Act to assure the continued operation of the lines of the Berkshire Street Railway Company, 1921, 479.

Certificates relative to street railway companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 98 amended, 1922, 430.

Chapter 162. — Electric Railroads.

Certificates relative to electric railroads filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 163. — Trackless Trolley Companies.

Certificates relative to trackless trolley companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 164. — Manufacture and Sale of Gas and Electricity.

Temporary act, in force until June 1, 1925, relative to the rate of interest on bonds of gas, electric and water companies, 1920, 581, 634; 1921, 264.

Certificates relative to gas and electric companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 6 amended, 1922, 354 § 1.

SECT. 8 revised, 1922, 354 § 2.

SECT. 9 amended, 1921, 269.

SECT. 13 amended, 1922, 223.

SECT. 14 revised, 1921, 230 § 1.

SECT. 18 amended, 1922, 226 § 1.

SECT. 19 amended, 1921, 246; 1922, 226 § 2.

SECT. 57A added, 1922, 184 (relative to appropriations for the maintenance of municipal light plants).

SECT. 77 amended, 1921, 48.

SECT. 119 amended, 1921, 404.

Chapter 165. — Water and Aqueduct Companies.

Temporary act, in force until June 1, 1925, relative to the rate of interest on bonds of gas, electric and water companies, 1920, 581, 634; 1921, 264.

SECT. 13. (Certificates of payment of capital of aqueduct corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.)

Chapter 166. — Telephone and Telegraph Companies, and Lines for the Transmission of Electricity.

SECT. 1. (Certificates of payment of capital of telephone and telegraph companies filed in the office of the State Secretary deemed recorded, see 1922, 151.)

SECT. 4 revised, 1921, 230 § 2.

Chapter 167. — Banks and Banking.

Provision for a revision of the laws relating to banks and banking, 1921, Resolve 56; 1922, Resolve 37.

SECT. 2 revised, 1922, 363 § 1.

SECT. 8 revised, 1922, 367.

SECT. 9 amended, 1922, 104.

SECT. 12 amended, 1921, 78 § 1; 1922, 114.

SECT. 13 amended, 1921, 78 § 2.

SECT. 15 amended, 1921, 153.

SECT. 21 repealed, 1922, 411.

SECTS. 22-35. See 1922, 291.

SECT. 24 amended, 1922, 488 § 1.

SECT. 31 amended, 1921, 471.

SECT. 37. See 1922, 114.

SECTS. 46 and 47 added, 1922, 312 (fixing responsibility and providing additional penalties for violation of laws relative to banks).

Chapter 168. — Savings Banks.

SECT. 10. (Certificates and articles of organization of savings banks filed in the office of the State Secretary deemed recorded, see 1922, 151.)

SECT. 14 amended, 1922, 258 § 1.

SECT. 14A added, 1922, 258 § 2 (providing for the election of trustees of savings banks in groups).

SECT. 24 revised, 1922, 265 § 1.

SECT. 32A added, 1921, 79 (authorizing savings banks to establish and maintain safe deposit vaults).

SECT. 51 amended, 1921, 292 § 1; revised, 1922, 468 § 1.

SECT. 51A added, 1922, 468 § 2 (requiring savings banks to make loans to depositors on deposit books).

SECT. 54, cl. Sixth amended, 1921, 229; 1922, 159 § 1; cl. Ninth (c) amended, 1922, 159 § 2; cl. Ninth (c) (3) amended, 1922, 159 § 3.

Chapter 170. — Co-operative Banks.

Certificates and articles of organization of co-operative banks filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 12 amended, 1921, 242.

SECT. 19 amended, 1922, 208.

SECT. 27 amended, 1921, 211.

SECT. 31 amended, 1921, 158; 1922, 212.

SECT. 41 amended, 1921, 157 § 1.

SECT. 42 amended, 1921, 157 § 2.

SECT. 47 amended, 1922, 256.

Chapter 171. — Credit Unions.

Certificates and articles of organization of credit unions filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 2 amended, 1922, 147 § 1.

SECT. 13 amended, 1922, 147 § 2.

SECT. 14 amended, 1922, 147 § 3.

SECT. 15, 1st paragraph amended, 1922, 147 § 4.

SECT. 17 amended, 1922, 147 § 5.

Chapter 172. — Trust Companies.

Certificates and articles of organization of trust companies and certificates of increase and reduction of capital filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 5 amended, 1922, 263 § 1.

SECT. 10 amended, 1922, 263 § 2.

SECT. 11 revised, 1922, 293.

SECT. 13 amended, 1922, 265 § 2.

SECT. 14 amended, 1921, 352.

SECT. 23 repealed, 1922, 363 § 2.

SECT. 24 revised, 1922, 488 § 2.

SECT. 25 amended, 1922, 488 § 3.

SECT. 30A added, 1922, 310 (subjecting interdepartment transfers of assets by trust companies to the supervision of the Commissioner of Banks).

SECT. 39 amended, 1922, 264.

SECT. 40 amended, 1921, 194.

SECT. 41 revised, 1922, 321.

- SECT. 44 amended, 1922, 292.
- SECT. 46 revised, 1922, 396.
- SECT. 65 amended, 1922, 365.
- SECT. 66 amended, 1921, 292 § 2; revised, 1922, 468 § 3.
- SECT. 66A added, 1922, 468 § 4 (requiring savings departments of trust companies to make loans to depositors on deposit books).
- SECT. 73 amended, 1922, 294.
- SECT. 76 amended, 1922, 291.
- SECT. 80 revised, 1922, 394.

Chapter 175. — Insurance.

Certificates and articles of organization and amendment relative to insurance companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

- SECT. 1 amended, 1921, 165 § 1.
- SECT. 2A added, 1921, 277 § 1 (relative to contracts of reinsurance).
- SECT. 9 amended, 1921, 213.
- SECT. 14 amended, 1921, 166.
- SECT. 19A added, 1921, 172 (relative to the merger of insurance companies).
- SECT. 20 amended, 1921, 277 § 2.
- SECT. 25, Form A, item 32 (*b*) revised, 1921, 165 § 2.
- SECT. 32 revised, 1921, 190.
- SECT. 37 amended, 1921, 144.
- SECT. 46A added, 1922, 407 (giving preference to certain claims against insolvent domestic liability insurance companies).
- SECT. 47, cl. Second amended, 1921, 198; cl. Fourteenth added, 1921, 215 § 1 (authorizing writing of insurance in foreign countries); cl. Fifteenth added, 1921, 277 § 3 (relating to reinsurance).
- SECT. 48 amended, 1921, 215 § 2; 277 § 4.
- SECT. 49 amended, 1921, 277 § 5.
- SECT. 53 repealed, 1922, 76.
- SECT. 55. See 1921, 486 § 30.
- SECT. 60. See 1922, 77.
- SECT. 63, cl. 7 (*a*) added, 1921, 215 § 3.
- SECT. 80 amended, 1921, 160.
- SECT. 81 affected, 1921, 372.
- SECT. 93 amended, 1921, 486 § 30.
- SECT. 94 amended, 1922, 77.
- SECT. 110 amended, 1921, 136.
- SECT. 118 amended, 1921, 167.
- SECT. 119A added, 1921, 168 (to protect persons entitled to the proceeds of life insurance and annuity policies, and the income therefrom, when retained by life insurance companies).
- SECT. 132, provision 2 revised, 1922, 75.
- SECT. 133 amended, 1921, 141.
- SECT. 150 amended, 1921, 372.
- SECT. 156 amended, 1922, 81.

SECT. 159 amended, 1922, 417 § 2.

SECT. 174A added, 1922, 69 (relative to notices of hearings before the Commissioner of Insurance and of the revocation or suspension of licenses).

SECT. 187A added, 1922, 408 (relative to the limitation of actions on policies of insurance).

SECT. 193A added, 1922, 417 § 1 (relative to the enforcement of the insurance laws).

Chapter 176. — Fraternal Benefit Societies.

Certificates of organization and amendment of fraternal benefit societies filed in the office of the State Secretary deemed recorded, see 1922, 151.

SECT. 39A added, 1921, 295 (relative to the valuation of securities held by fraternal benefit societies).

SECT. 45 amended, 1922, 90.

SECT. 46 revised, 1921, 155 § 1; amended, 1922, 494.

SECT. 46A added, 1921, 155 § 2 (relative to the payment of disability benefits by subordinate lodges).

Chapter 177. — Assessment Insurance.

Certificates of organization and amendment of assessment insurance companies filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 178. — Savings Bank Life Insurance.

SECT. 11 amended, 1922, 79 § 1.

SECT. 21 revised, 1921, 416; amended, 1922, 79 § 2.

Chapter 179. — Proprietors of Wharves, Real Estate lying in Common, and General Fields.

Certificates of organization of proprietors of wharves and real estate lying in common filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 180. — Corporations for Charitable and Certain Other Purposes.

Certificates of organization and amendment of certain corporations filed in the office of the State Secretary deemed recorded, see 1922, 151.

Chapter 181. — Foreign Corporations.

SECT. 1 amended, 1921, 486 § 31.

Chapter 182. — Voluntary Associations.

SECT. 1 amended, 1921, 368 § 1. (See 1921, 368 § 3.)

SECT. 2 revised, 1922, 272.

SECT. 12 added, 1921, 368 § 2 (suits against voluntary associations). (See 1921, 368 § 4.)

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 14 amended, 1921, 486 § 32.

SECT. 53 amended, 1921, 117.

Chapter 186. — Estates for Years and at Will.

Temporary act, in force until July 1, 1923, relative to termination of tenancies at will, 1919, 257; extended, 1920, 538; 1921, 489; 1922, 357 § 1.

Temporary act, in force until July 1, 1923, penalizing lessors for violation of certain rights of tenants, 1920, 555; 1921, 491; 1922, 357 § 2.

Temporary act in force until July 1, 1923, providing discretionary stay of proceedings in actions of summary process, 1920, 577; 1921, 490; 1922, 357 § 3.

Unjust, unreasonable and oppressive rent agreements unenforceable, 1920, 578; amended, 1921, 452, rendering unenforceable agreements raising rent because of increase in tenant's family; duration of act extended to July 1, 1923, 1921, 488; 1922, 357 § 4.

SECT. 12 affected temporarily, 1919, 257; 1920, 538; 1921, 489; 1922, 357 § 1.

Chapter 190. — Descent and Distribution of Real and Personal Property.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 191. — Wills.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 192. — Probate of Wills and Appointment of Executors.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 193. — Appointment of Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 7 amended, 1921, 64.

Chapter 194. — Public Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 195. — General Provisions relative to Executors and Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 196. — Allowances to Widows and Children, and Advancements.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 197. — Payment of Debts, Legacies and Distributive Shares.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 198. — Insolvent Estates of Deceased Persons.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 7A added, 1922, 175 § 1 (relative to the allowance of claims of creditors receiving preferences).

SECTS. 10A-10C added, 1922, 175 § 2 (relative to preferences made by persons dying insolvent).

Chapter 199. — Settlements of Estates of Deceased Non-Residents.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 200. — Settlement of Estates of Absentees.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 201. — Guardians and Conservators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 3 revised, 1922, 461.

Chapter 202. — Sales, Mortgages and Leases of Real Estate by Executors, Administrators, Guardians and Conservators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 203. — Trusts.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 204. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, etc.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 23 amended, 1921, 44 § 1.

SECT. 24 amended, 1921, 44 § 2.

SECT. 25 amended, 1921, 44 § 3.

SECT. 26 amended, 1921, 44 § 4.

Chapter 205. — Bonds of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 1. See 1922, 512.

SECT. 7A added, 1922, 512 (relating to certain fiduciary bonds in the probate court).

SECTS. 20-35, incl. See 1922, 512.

Chapter 206. — Accounts and Settlements of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 23A added, 1922, 59 (issuing of citations on probate accounts).

Chapter 207. — Marriage.

SECT. 25 amended, 1922, 98.

Chapter 208. — Divorce.

General provisions of law governing libels for divorce brought in the superior court made applicable to such libels when commenced in the probate court, see 1922, 532 § 6.

SECT. 6 amended, 1921, 466 § 1; 1922, 532 § 5; revised, 1922, 542 § 1.

SECT. 6A added, 1922, 532 § 6 (making the general provisions of law governing libels for divorce brought in the superior court applicable to such libels when commenced in the probate court).

SECT. 9A added, 1921, 466 § 2 (transfer from the superior to the probate court of uncontested divorce libels); repealed, 1922, 542 § 3.

Chapter 209. — Husband and Wife.

SECT. 32 revised, 1921, 56.

SECTS. 32A-32C added, 1922, 242 (naming of third parties in proceedings for separate support).

Chapter 211. — The Supreme Judicial Court.

As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.

SECT. 23 revised, 1922, 228 § 2.

Chapter 212. — The Superior Court.

As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.

As to concurrent jurisdiction of divorce libels in the superior and probate courts, see 1922, 532 §§ 4, 5, 7; 542.

SECT. 1 amended, 1922, 532 § 3.

SECT. 3 amended, 1922, 532 § 4. (See 1922, 532 § 5.)

SECT. 14 amended, 1921, 35, 327.

SECT. 16 amended, 1922, 532 § 11.

SECT. 18A added, 1921, 350 § 1 (authorizing sittings of the Superior Court at Quincy).

SECT. 19A added, 1922, 533 (providing for the appointment of a special master by the superior court).

Chapter 214. — Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts.

SECT. 3 cl. (7). See 1922, 486 § 1, subsect. 44.

SECT. 13 amended, 1921, 431 § 1.

SECT. 32 revised, 1922, 532 § 1.

SECT. 33 repealed, 1922, 532 § 2.

Chapter 215. — Probate Courts.

As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.

As to concurrent jurisdiction of divorce libels in the superior and probate courts, see 1922, 532 §§ 4, 5, 7; 542.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 3 amended, 1921, 466 § 3; 1922, 532 § 7; revised, 1922, 542 § 2.

SECT. 62 amended, 1922, 41, 257.

Chapter 217. — Judges and Registers of Probate and Insolvency.

SECT. 33 revised, 1921, 42 § 1.

SECT. 36 amended, 1922, 333 § 4.

SECT. 37 revised, 1921, 364.

SECT. 39 amended, 1921, 42 § 2.

Chapter 218. — District Courts.

As to jurisdiction and procedure in civil cases in district courts other than the municipal court of the city of Boston, see 1922, 532 § 8.

Police courts to be known hereafter as district courts, 1921, 430 § 1.

SECT. 1 amended, 1921, 430 § 1.

SECT. 10 revised, 1921, 287; 1922, 63.

SECT. 11 amended, 1922, 156.

SECT. 19 revised, 1922, 532 § 12A.

SECT. 21 amended, 1922, 99 § 1.

SECT. 43 amended, 1922, 532 § 9.

SECT. 43A added, 1922, 532 § 10 (establishing an administrative committee of district courts).

SECT. 53 amended, 1922, 309 § 1.

SECT. 55 revised, 1921, 486 § 33.

SECT. 62 amended, 1921, 284 § 1; revised, 1922, 299 § 1.

SECTS. 69-73 as amended by 1921, 430 § 1; 465 § 1; superseded by new sections 69 and 70. (See 1922, 399 §§ 1-3).

SECT. 69 amended, 1921, 430 § 1; revised, 1922, 399 § 1.

SECT. 70 amended, 1921, 430 § 1; revised, 1922, 399 § 2.

SECT. 71 revised, 1921, 465 § 1; repealed, 1922, 399 § 3.

SECT. 71A added, 1921, 334 § 1 (relating to extra clerical assistance for district court of Springfield); repealed, 1922, 399 § 3.

SECT. 71B added, 1921, 334 § 2 (relating to extra clerical assistance for district court of Hampshire); repealed, 1922, 399 § 3.

SECT. 71C added, 1921, 464 § 1 (relative to clerical assistance for the municipal court of the Roxbury district); repealed, 1922, 399 § 3.

SECT. 71D added, 1921, 465 § 2 (relative to clerical assistance for the municipal court of the Brighton district); repealed, 1922, 399 § 3.

SECT. 72 repealed, 1922, 399 § 3.

SECT. 73 amended, 1921, 430 § 1; repealed, 1922, 399 § 3.

SECT. 75 amended, 1921, 284 § 2; 1922, 309 § 2.

SECT. 76 amended, 1921, 355 § 1.

SECT. 80 revised, 1921, 355 § 2.

SECT. 83 amended, 1921, 321.

Chapter 219. — Trial Justices.

SECT. 17 amended, 1922, 364 § 1.

Chapter 221. — Clerks, Attorneys and Other Officers of Judicial Courts.

SECT. 1 amended, 1922, 487 § 1.

SECT. 4 amended, 1921, 305.

SECT. 6 amended, 1921, 236.

SECT. 7 amended, 1922, 423 § 1.

SECT. 14 amended, 1922, 423 § 2.

SECT. 20 amended, 1922, 53.

SECT. 37 amended, 1921, 290 § 1. (See 1922, 493, permitting certain aliens to take examinations for admission to the bar.)

SECT. 39 amended, 1921, 290 § 2.

SECT. 55 amended, 1921, 163.

SECT. 75 amended, 1921, 423.

SECT. 90 repealed, 1922, 228 § 1.

SECT. 93 amended, 1922, 487 § 2.

SECT. 96 amended, 1921, 486 § 34.

Chapter 223. — Commencement of Actions, Service of Process.

SECT. 1 amended, 1921, 432.

SECT. 2 amended, 1922, 99 § 2.

SECT. 25 amended, 1921, 338.

SECT. 39. See 1921, 486 § 37.

SECT. 40 amended, 1921, 368 § 3.

SECT. 40A added, 1921, 368 § 4 (service in suits against voluntary associations).

SECT. 45A added, 1921, 425 § 1 (security for officers making attachments).

SECT. 129A added, 1921, 425 § 2 (release by officer of personal property attached upon filing of bond).

Chapter 224. — Arrest on Civil Process.

SECT. 18A added, 1921, 425 § 3 (security to officers arresting on civil process).

Chapter 229. — Actions for Death and Injuries resulting in Death.

SECT. 2 amended, 1921, 486 § 35.

SECT. 5 amended, 1922, 439.

Chapter 231. — Pleading and Practice.

SECT. 18 amended, 1921, 431 § 2.

SECT. 59A added, 1922, 509 § 1 (relating to the speedy trial of cases in the supreme judicial and superior courts).

SECT. 63 revised, 1922, 314.

SECT. 97 amended, 1922, 532 § 12.

SECT. 103 amended, 1921, 486 § 36.

SECTS. 104-110 affected, 1921, 486 § 36.

SECTS. 110A-110C added, 1922, 532 § 8 (relative to jurisdiction and procedure in civil cases in district courts other than the municipal court of the city of Boston).

Chapter 234. — Juries.

SECT. 3 amended, 1921, 455 § 2.

SECT. 3A added, 1921, 455 § 1 (postponement of jury service).

Chapter 235. — Judgment and Execution.

SECT. 35 revised, 1921, 425 § 4 (security for officers taking property on execution).

Chapter 239. — Summary Process for Possession of Land.

Temporary act, in force until July 1, 1923, relative to termination of tenancies at will, 1919, 257; extended, 1920, 538; 1921, 489; 1922, 357 § 1.

Temporary act, in force until July 1, 1923, granting discretionary stay of proceedings in actions of summary process, 1920, 577; 1921, 490; 1922, 357 § 3.

Chapter 246. — Trustee Process.

SECT. 4A added, 1921, 417 (relative to trustee suits in district courts).

SECT. 6 amended, 1921, 486 § 37.

SECT. 10 amended, 1922, 93.

Chapter 252. — Improvement of Low Land and Swamps.

SECT. 1 amended, 1922, 349 § 1.

SECT. 2 amended, 1922, 349 § 2.

SECT. 4 amended, 1922, 349 § 3.

SECT. 5 amended, 1922, 349 § 4.

SECT. 6 amended, 1922, 349 § 5.

SECT. 7 amended, 1922, 349 § 6.

SECT. 8 amended, 1922, 349 § 7.

SECT. 9 amended, 1922, 349 § 8.

SECT. 11 revised, 1922, 349 § 9.

SECT. 14A added, 1922, 349 § 10 (relative to expenditures for improvements and maintenance of drainage districts).

Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.

SECT. 1 amended, 1921, 233.

Chapter 260. — Limitation of Actions.

SECT. 4 amended, 1921, 319.

Chapter 262. — Fees of Certain Officers.

SECT. 8 amended, 1921, 259.

SECT. 50. See 1922, 377 § 1.

SECT. 53 amended, 1922, 377 § 1.

SECT. 56 amended, 1922, 377 § 2.

Chapter 263. — Rights of Persons Accused of Crime.

SECT. 8A added, 1922, 432 (preventing double trials in district courts and before trial justices).

Chapter 264. — Crimes against Governments.

SECT. 5 amended, 1921, 278; 1922, 227.

Chapter 266. — Crimes against Property.

SECT. 52 revised, 1922, 313 § 1.

SECT. 53A added, 1922, 313 § 2 (providing for the punishment of certain crimes relating to banks and banking).

SECT. 55 revised, 1922, 313 § 3.

Chapter 268. — Crimes against Public Justice.

SECT. 33 amended, 1922, 52.

Chapter 269. — Crimes against Public Peace.

SECT. 12 amended, 1922, 485 § 10.

Chapter 271. — Crimes against Public Policy.

SECT. 17 revised, 1922, 315.

Chapter 272. — Crimes against Chastity, Morality, Decency and Good Order.

SECT. 86 affected, 1921, 109.

Chapter 273. — Desertion, Non-Support and Bastardy.

SECT. 4 revised, 1922, 397.

Chapter 276. — Search Warrants, Rewards, Fugitives from Justice, Arrest, Examination, Commitment and Bail. Probation Officers and Commission on Probation.

SECT. 57 amended, 1922, 464 § 1.

SECT. 61 revised, 1922, 465 § 1.

SECTS. 61A and 61B added, 1922, 465 § 2 (relating to bail in criminal cases).

SECT. 63 revised, 1922, 465 § 3.

SECT. 81 amended, 1922, 361 § 1.

Chapter 277. — Indictments and Proceedings before Trial.

SECTS. 1-14. See 1922, 466.

SECT. 2A added, 1922, 466 (providing for special grand juries).

SECTS. 70A and 70B added, 1922, 458 (regulating the disposition without trial of criminal cases).

Chapter 278. — Trials and Proceedings before Judgment.

SECT. 13 amended, 1921, 262.

SECT. 29 revised, 1922, 508 § 1.

Chapter 279. — Judgment and Execution.

SECT. 11 amended, 1922, 427 § 27.

Chapter 281. — The General Laws and their Effect.

SECT. 9 amended, 1921, 486 § 38.

Chapter 282. — Express Repeal of Certain Acts and Resolves.

For additional acts and resolves repealed, see 1921, 486 § 39.

Certain acts repealed by this chapter are revived and re-enacted, 1921, 486 § 40.

II

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- 35 See 1921, 327. G. L. 212.
- 78 § 1, see 1922, 114. G. L. 167.
- 92 See 1922, 274. G. L. 73.
- 94 See 1922, 186 § 2. G. L. 94.
- 116 § 1, see 1922, 161. G. L. 130.
- 123 See 1922, 339 § 2. G. L. 63.
- 152 See 1922, 117 § 2; revised, 1922, 160. G. L. 131.
- 155 § 1, see 1922, 494. G. L. 176.
- 158 See 1922, 212. G. L. 170.
- 189 Revised, 1921, 434, 483. See 1922, 342 § 2. G. L. 90.
- 197 Revised, 1922, 444. G. L. 130.
- 198 See 1921, 215 § 1, 277 § 3. G. L. 175.
- 202 See 1921, 389, 474, 486 § 16; 1922, 216, 222, 451. G. L. 59.
- 215 § 1, see 1921, 277 § 3. G. L. 175.
- 215 § 2, see 1921, 277 § 4. G. L. 175.
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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, September 12, 1922.

I certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the Joint Committee on Rules of the General Court, in accordance with the provisions of section 51, chapter 3 of the General Laws.

FREDERIC W. COOK,
Secretary of the Commonwealth.

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